

1 He also deplored the Government's tolerance of an
2 intensive defamation campaign aimed at inciting dis-
3 crimination and hate against Baha'is."

4 (17) On September 13, 2012, the United Na-
5 tions Special Rapporteur on the situation of human
6 rights in the Islamic Republic of Iran issued a re-
7 port (A/67/369), which stated, "Reports and inter-
8 views submitted to the Special Rapporteur also con-
9 tinue to portray a disturbing trend with regard to
10 religious freedom in the country. Members of both
11 recognized and unrecognized religions have reported
12 various levels of intimidation, arrest, detention and
13 interrogation that focus on their religious beliefs.",
14 and stated, "At the time of drafting the report, 105
15 members of the Baha'i community were reported to
16 be in detention."

17 (18) On November 27, 2012, the Third Com-
18 mittee of the United Nations General Assembly
19 adopted a draft resolution (A/C.3/67/L.51), which
20 noted, "[I]ncreased persecution and human rights
21 violations against persons belonging to unrecognized
22 religious minorities, particularly members of the
23 Baha'i faith and their defenders, including esca-
24 lating attacks, an increase in the number of arrests
25 and detentions, the restriction of access to higher

1 education on the basis of religion, the sentencing of
2 twelve Baha'is associated with Baha'i educational in-
3 stitutions to lengthy prison terms, the continued de-
4 nial of access to employment in the public sector, ad-
5 ditional restrictions on participation in the private
6 sector, and the de facto criminalization of member-
7 ship in the Baha'i faith."

8 (19) On December 20, 2012, the United Na-
9 tions General Assembly adopted a resolution (A/
10 RES/67/182), which called upon the government of
11 Iran "[t]o eliminate discrimination against, and ex-
12 clusion of . . . members of the Baha'i Faith, regard-
13 ing access to higher education, and to eliminate the
14 criminalization of efforts to provide higher education
15 to Baha'i youth denied access to Iranian univer-
16 sities," and "to accord all Baha'is, including those
17 imprisoned because of their beliefs, the due process
18 of law and the rights that they are constitutionally
19 guaranteed".

20 (20) On February 28, 2013, the United Na-
21 tions Special Rapporteur on the situation of human
22 rights in the Islamic Republic of Iran issued a re-
23 port (A/HRC/22/56), which stated, "110 Bahai's are
24 currently detained in Iran for exercising their faith,
25 including two women, Mrs. Zohreh Nikayin and Mrs.

1 Taraneh Torabi, who are reportedly nursing infants
2 in prison”.

3 (21) In March and May of 2008, intelligence of-
4 ficials of the Government of Iran in Mashhad and
5 Tehran arrested and imprisoned Mrs. Fariba
6 Kamalabadi, Mr. Jamaloddin Khanjani, Mr. Afif
7 Naeimi, Mr. Saeid Rezaie, Mr. Behrouz Tavakkoli,
8 Mrs. Mahvash Sabet, and Mr. Vahid Tizfahm, the
9 seven members of the ad hoc leadership group for
10 the Baha’i community in Iran.

11 (22) In August 2010, the Revolutionary Court
12 in Tehran sentenced the seven Baha’i leaders to 20-
13 year prison terms on charges of “spying for Israel,
14 insulting religious sanctities, propaganda against the
15 regime and spreading corruption on earth”.

16 (23) The lawyer for these seven leaders, Mrs.
17 Shirin Ebadi, the Nobel Laureate, was denied mean-
18 ingful or timely access to the prisoners and their
19 files, and her successors as defense counsel were
20 provided extremely limited access.

21 (24) These seven Baha’i leaders were targeted
22 solely on the basis of their religion.

23 (25) Beginning in May 2011, Government of
24 Iran officials in four cities conducted sweeping raids
25 on the homes of dozens of individuals associated

1 with the Baha'i Institute for Higher Education
2 (BIHE) and arrested and detained several educators
3 associated with BIHE.

4 (26) In October 2011, the Revolutionary Court
5 in Tehran sentenced seven of these BIHE instruc-
6 tors and administrators, Mr. Vahid Mahmoudi, Mr.
7 Kamran Mortezaie, Mr. Mahmoud Badavam, Ms.
8 Nooshin Khadem, Mr. Farhad Sedghi, Mr. Riaz
9 Sobhani, and Mr. Ramin Zibaie, to prison terms for
10 the crime of "membership of the deviant sect of Ba-
11 ha'ism, with the goal of taking action against the se-
12 curity of the country, in order to further the aims
13 of the deviant sect and those of organizations out-
14 side the country".

15 (27) Six of these educators remain imprisoned,
16 with Mr. Mortezaie serving a 5-year prison term and
17 Mr. Badavam, Ms. Khadem, Mr. Sedghi, Mr.
18 Sobhani, and Mr. Zibaie serving 4-year prison
19 terms.

20 (28) Since October 2011, four other BIHE edu-
21 cators, Ms. Faran Hessami, Mr. Kamran Rahimian,
22 Mr. Kayvan Rahimian, and Mr. Shahin Negari have
23 been sentenced to 4-year prison terms, which they
24 are now serving.

1 (29) The efforts of the Government of Iran to
2 collect information on individual Baha'is have re-
3 cently intensified as evidenced by a letter, dated No-
4 vember 5, 2011, from the Director of the Depart-
5 ment of Education in the county of Shahriar in the
6 province of Tehran, instructing the directors of
7 schools in his jurisdiction to "subtly and in a con-
8 fidential manner" collect information on Baha'i stu-
9 dents.

10 (30) The Baha'i community continues to under-
11 go intense economic and social pressure, including
12 an ongoing campaign in the town of Semnan, where
13 the Government of Iran has harassed and detained
14 Baha'is, closed 17 Baha'i owned businesses in the
15 last three years, and imprisoned several members of
16 the community, including three mothers along with
17 their infants.

18 (31) Ordinary Iranian citizens who belong to
19 the Baha'i faith are disproportionately targeted, in-
20 terrogated, and detained under the pretext of na-
21 tional security.

22 (32) The Government of Iran is party to the
23 International Covenants on Human Rights and is in
24 violation of its obligations under the Covenants.

25 (b) STATEMENT OF POLICY.—Congress—

1 (1) condemns the Government of Iran for its
2 state-sponsored persecution of its Baha'i minority
3 and its continued violation of the International Cov-
4 enants on Human Rights;

5 (2) calls on the Government of Iran to imme-
6 diately release the seven imprisoned leaders, the ten
7 imprisoned educators, and all other prisoners held
8 solely on account of their religion; and

9 (3) calls on the President and Secretary of
10 State, in cooperation with responsible nations, to im-
11 mediately condemn the Government of Iran's contin-
12 ued violation of human rights and demand the im-
13 mediate release of prisoners held solely on account
14 of their religion.



128. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
Connolly (VA) OR HIS OR HER DESIGNEE, DEBATABLE FOR
10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1960
OFFERED BY MR. CONNOLLY OF VIRGINIA**

Page 522, line 8, insert before the semicolon the following: “, including those involved in Egyptian civil society and democratic promotion efforts through nongovernmental organizations”.



129. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
Ros-Lehtinen (FL) OR HIS OR HER DESIGNEE, DEBATABLE
FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1960
OFFERED BY MS. ROS-LEHTINEN OF FLORIDA**

Page 522, after line 18, insert the following:

1 (D) A description of the strategic objec-
2 tives of the United States regarding the provi-
3 sion of United States security assistance to the
4 Government of Egypt.

5 (E) A description of biennial outlays of
6 United States security assistance to the Govern-
7 ment of Egypt for the purposes of strategic
8 planning, training, provision of equipment, and
9 construction of facilities, including funding
10 streams.

11 (F) A description of vetting and end-user
12 monitoring systems in place by both Egypt and
13 the United States for defense articles and train-
14 ing provided by the United States, including
15 human rights vetting.

16 (G) A description of actions that the Gov-
17 ernment of Egypt is taking to—

18 (i) repudiate, combat, and stop incite-
19 ment to violence against the United States

1 and United States citizens and prohibit the
2 transmission within its domains of satellite
3 television or radio channels that broadcast
4 such incitement; and

5 (ii) adopt and implement legal re-
6 forms that protect the religious and demo-
7 cratic freedoms of all citizens and residents
8 of Egypt.

9 (H) Recommendations, including with re-
10 spect to required resources and actions, to
11 maximize the effectiveness of United States se-
12 curity assistance provided to Egypt.

Page 523, after line 3, insert the following:

13 (c) GAO REPORT.—Not later than 120 days after the
14 date of the submission of the report required under sub-
15 section (b), the Comptroller General of the United States
16 shall submit to the appropriate congressional committees
17 a report that—

18 (1) reviews and comments on the report re-
19 quired under subsection (b); and

20 (2) provides recommendations regarding addi-
21 tional actions with respect to the provision of United
22 States security assistance to Egypt, if necessary.



130. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
Turner (OH) OR HIS OR HER DESIGNEE, DEBATABLE FOR
10 MINUTES

**AMENDMENT TO THE COMMITTEE PRINT OF H.R.
1960
OFFERED BY MR. TURNER OF OHIO**

Amend section 1244 to read as follows:

1 **SEC. 1244. STATEMENT OF CONGRESS ON DEFENSE CO-**
2 **OPERATION WITH GEORGIA.**

3 (a) FINDINGS.—Congress finds the following:

4 (1) The Republic of Georgia is a highly valued
5 ally of the United States and has repeatedly dem-
6 onstrated its commitment to advancing the mutual
7 interests of both countries, including the deployment
8 of Georgian forces as part of the NATO-led Inter-
9 national Security Assistance Force in Afghanistan
10 and the Multi-National Force in Iraq.

11 (2) The peaceful transfer of power as the result
12 of the free and fair parliamentary elections in Geor-
13 gia in October 2012 represents a major accomplish-
14 ment toward the Georgian people's creation of a free
15 society and full democracy.

16 (3) However, since the October 2012 par-
17 liamentary elections the new Georgian Government
18 has taken a series of measures against former offi-
19 cials and members of the current political opposition

1 that appear to be motivated by political consider-
2 ations.

3 (4) Over 100 former Georgian Government offi-
4 cials have been charged with criminal violations
5 since the October 2012 parliamentary elections.

6 (5) Similar charges have been filed against
7 members of the political opposition, including Vano
8 Merabishvili, the Secretary General of the United
9 National Movement.

10 (6) The arrest of the leader of an opposition
11 party is especially troubling, particularly its chilling
12 effect on political freedom prior to the presidential
13 election scheduled for October 2013.

14 (7) The Georgian Government has taken insuf-
15 ficient action to prevent further violence against
16 members of the United National Movement and to
17 punish offenders.

18 (8) These actions call into question the Geor-
19 gian Government's continued progress toward the
20 creation of a free and democratic society in which
21 basic freedoms, including freedom for political oppo-
22 sition, are guaranteed.

23 (b) STATEMENT OF CONGRESS.—Congress declares
24 that—

1 (1) the United States remains committed to as-
2 sisting the people of Georgia in establishing a free
3 and democratic society in their country;

4 (2) the measures taken by the Georgian Gov-
5 ernment against former officials and political oppo-
6 nents, apparently in part motivated by political con-
7 siderations, may have a significant negative impact
8 on cooperation between the United States and Geor-
9 gia, including efforts to build a stronger relationship
10 in political, economic, and security matters, as well
11 as progress on integrating Georgia into international
12 organizations;

13 (3) the United States must be unambiguous
14 when democratic backsliding occurs in a key ally
15 after a peaceful and democratic transfer of power
16 between political parties; and

17 (4) the people of the United States and the
18 Members of Congress express their deepest condo-
19 lences to the Georgian people on the tragic loss of
20 seven soldiers of Georgia in a suicide bombing on
21 June 6, 2013, and the deaths of three soldiers killed
22 in another suicide bombing on May 13, 2013, while
23 they were supporting United States and NATO
24 forces in Afghanistan.



131. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
Schneider (IL) OR HIS OR HER DESIGNEE, DEBATABLE FOR
10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1960
OFFERED BY MR. SCHNEIDER OF ILLINOIS**

Page 539, strike lines 4 through 7 and insert the following:

1 (3) the conflict in Syria threatens the vital na-
2 tional security interests of Israel and the stability of
3 Jordan, Lebanon, and Turkey, the implications of
4 which should be sufficiently weighed by the Presi-
5 dent when considering policy approaches towards the
6 conflict in Syria;

Page 540, line 11, strike "and" at the end.

Page 540, line 14, strike the period at the end and insert "; and".

Page 540, after line 14, insert the following new paragraph:

7 (11) the President should use all diplomatic
8 means to disrupt the flow of arms into Syria, includ-
9 ing efforts to dissuade Russia from further arms
10 sales with Syria, the influx of weapons and fighters

1 from Hezbollah, and the infiltration of weapons and
2 fighters from Iran.



132. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
Lamborn (CO) OR HIS OR HER DESIGNEE, DEBATABLE FOR
10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1960
OFFERED BY MR. LAMBORN OF COLORADO**

Page 539, after line 7, insert the following new paragraph:

- 1 (4) the sale or transfer of advanced anti-air-
- 2 craft weapons systems to Syria poses a grave risk to
- 3 Israel and the United States supports Israel's right
- 4 to respond to this grave threat as needed;

Page 539, line 8, through page 540, line 12, redesignate paragraphs (4) through (10) as paragraphs (5) through (11), respectively.



133. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
Kelly (PA) OR HIS OR HER DESIGNEE, DEBATABLE FOR 10
MINUTES

72

**AMENDMENT TO H.R. 1960, AS REPORTED
OFFERED BY MR. KELLY OF PENNSYLVANIA**

At the end of subtitle E of title XII of division A,
add the following new section:

1 **SEC. 12_. LIMITATION ON AVAILABILITY OF FUNDS TO IM-**
2 **PLEMENT THE ARMS TRADE TREATY.**

3 None of the funds authorized to be appropriated by
4 this Act or otherwise made available for fiscal year 2014
5 or any fiscal year thereafter for the Department of De-
6 fense may be obligated or expended to implement the
7 Arms Trade Treaty, or to make any change to existing
8 programs, projects, or activities as approved by Congress
9 in furtherance of, pursuant to, or otherwise to implement
10 the Arms Trade Treaty, unless the Arms Trade Treaty
11 has been signed by the President, received the advice and
12 consent of the Senate, and has been the subject of imple-
13 menting legislation by the Congress.



134. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
Rigell (VA) OR HIS OR HER DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1960
OFFERED BY MR. RIGELL OF VIRGINIA**

At the end of subtitle E of title XII of division A,
add the following new section:

1 **SEC. 12 . WAR POWERS OF CONGRESS.**

2 (a) FINDINGS.—Congress finds the following:

3 (1) In 1793, George Washington said, “The
4 constitution vests the power of declaring war in Con-
5 gress; therefore no offensive expedition of impor-
6 tance can be undertaken until after they shall have
7 deliberated upon the subject and authorized such a
8 measure.”.

9 (2) In a letter to Thomas Jefferson in 1798,
10 James Madison wrote: “The constitution supposes,
11 what the History of all Governments demonstrates,
12 that the Executive is the branch of power most in-
13 terested in war, and most prone to it. It has accord-
14 ingly with studied care vested the question of war to
15 the Legislature.”

16 (3) In 1973, Congress passed the War Powers
17 Resolution which states in section 2: “The constitu-
18 tional powers of the President as Commander-in-

1 Chief to introduce United States Armed Forces into
2 hostilities, or into situations where imminent involve-
3 ment in hostilities is clearly indicated by the cir-
4 cumstances, are exercised only pursuant to (1) a
5 declaration of war, (2) specific statutory authoriza-
6 tion, or (3) national emergency created by attack
7 upon the United States, its territories or posses-
8 sions, or its armed forces.”.

9 (4) In its April 1, 2011, Memorandum to Presi-
10 dent Obama, the Office of Legal Counsel concluded:
11 “President Obama could rely on his constitutional
12 power to safeguard the national interest by directing
13 the anticipated military operations in Libya—which
14 were limited in their nature, scope, and duration—
15 without prior congressional authorization.”.

16 (5) On June 15, 2011, in a letter to the Speak-
17 er of the House of Representatives from the Depart-
18 ment of Defense and Department of State, the De-
19 partments informed Congress that “The President is
20 of the view that the current U.S. military operations
21 in Libya are consistent with the War Powers Resolu-
22 tion and do not under that law require further con-
23 gressional authorization, because U.S. military oper-
24 ations are distinct from the kind of ‘hostilities con-

1 templated by the Resolution's 60 day termination
2 provision'.”.

3 (6) The precedence set by the Executive Branch
4 in its assertion that Congress plays no role in mili-
5 tary actions like those taken in Libya is contrary to
6 the intent of the Framers and of the Constitution
7 which vests sole authority to declare war in the Leg-
8 islative Branch.

9 (b) RULE OF CONSTRUCTION.—Nothing in this Act
10 shall be construed to authorize any use of military force.



135. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
Ellison (MN) OR HIS OR HER DESIGNEE, DEBATABLE FOR
10 MINUTES

**AMENDMENT TO H.R. 1960, AS REPORTED
OFFERED BY MR. ELLISON OF MINNESOTA**

At the end of subtitle E of title XII of division A
of the bill, add the following:

1 **SEC. 12xx. LIMITATION ON ASSISTANCE TO PROVIDE TEAR**
2 **GAS OR OTHER RIOT CONTROL ITEMS.**

3 None of the funds authorized to be appropriated by
4 this Act may be used to provide tear gas or other riot
5 control items to the government of a country undergoing
6 a transition to democracy in the Middle East or North
7 Africa unless the Secretary of Defense certifies to the
8 Committee on Armed Services of the Senate and the Com-
9 mittee on Armed Services of the House of Representatives
10 that the security forces of such government are not using
11 excessive force to repress peaceful, lawful, and organized
12 dissent.



136. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
Broun (GA) OR HIS OR HER DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1960
OFFERED BY MR. BROUN OF GEORGIA**

At the end of subtitle E of title XII of division A,
add the following new section:

**1 SEC. 12_. PROHIBITION ON USE OF DRONES TO KILL
2 UNITED STATES CITIZENS.**

3 (a) PROHIBITION.—The Department of Defense may
4 not use a drone to kill a citizen of the United States.

5 (b) EXCEPTION.—The prohibition under subsection
6 (a) shall not apply to an individual who is actively engaged
7 in combat against the United States.

8 (c) DEFINITION.—In this section, the term “drone”
9 means an unmanned aircraft (as defined in section 331
10 of the FAA Modernization and Reform Act of 2012 (49
11 U.S.C. 40101 note)).



137. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
DeLauro (CT) OR HIS OR HER DESIGNEE, DEBATABLE FOR
10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1960
OFFERED BY MS. DELAURO OF CONNECTICUT**

At the end of subtitle E of title XII of division A,
add the following new section:

**1 SEC. 12_. LIMITATION ON USE OF FUNDS TO PURCHASE
2 EQUIPMENT FROM ROSOBORONEXPORT.**

3 (a) LIMITATION.—No funds authorized to be appro-
4 priated for the Department of Defense for any fiscal year
5 after fiscal year 2013 may be used for the purchase of
6 any equipment from Rosoboronexport until the Secretary
7 of Defense certifies in writing to the congressional defense
8 committees that, to the best of the Secretary's knowl-
9 edge—

10 (1) Rosoboronexport is cooperating fully with
11 the Defense Contract Audit Agency;

12 (2) Rosoboronexport has not delivered S-300
13 advanced anti-aircraft missiles to Syria; and

14 (3) no new contracts have been signed between
15 the Bashar al Assad regime in Syria and
16 Rosoboronexport since January 1, 2013.

17 (b) NATIONAL SECURITY WAIVER.—

1 (1) IN GENERAL.—The Secretary of Defense
2 may waive the limitation in subsection (a) if the Sec-
3 retary certifies that the waiver in order to purchase
4 equipment from Rosoboronexport is in national secu-
5 rity interest of the United States.

6 (2) REPORT.—If the Secretary waives the limi-
7 tation in subsection (a) pursuant to paragraph (1),
8 the Secretary shall submit to the congressional de-
9 fense committees, not later than 30 days before pur-
10 chasing equipment from Rosoboronexport pursuant
11 to the waiver, a report on the waiver. The report
12 shall be submitted in classified or unclassified form,
13 at the election of the Secretary. The report shall in-
14 clude the following:

15 (A) An explanation why it is in the na-
16 tional security interest of the United States to
17 purchase equipment from Rosoboronexport.

18 (B) An explanation why comparable equip-
19 ment cannot be purchased from another cor-
20 poration.

21 (C) An assessment of the cooperation of
22 Rosoboronexport with the Defense Contract
23 Audit Agency.

24 (D) An assessment of whether and how
25 many S-300 advanced anti-aircraft missiles

1 have been delivered to the Assad regime by
2 Rosoboronexport.

3 (E) A list of the contracts that
4 Rosoboronexport has signed with the Assad re-
5 gime since January 1, 2013.

6 (c) REQUIREMENT FOR COMPETITIVELY BID CON-
7 TRACTS.—The Secretary of Defense shall award any con-
8 tract that will use United States funds for the procure-
9 ment of helicopters for the Afghan Security Forces using
10 competitive procedures based on requirements developed
11 by the Secretary of Defense.



138. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
Connolly (VA) OR HIS OR HER DESIGNEE, DEBATABLE FOR
10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1960**

OFFERED BY MR. CONNOLLY OF VIRGINIA

**§-MS. GRANGER OF TEXAS,
-MR. DIAZ-BALART OF FLO.
RIDA,
-MR. GINGEY OF
GEORGIA,
-MR. SIREN OF NEW
JERSEY,
-MR. CARTER OF TEXAS**

At the end of subtitle E of title XII of division A,
add the following new section:

- 1 **SEC. 12_. SALE OF F-16 AIRCRAFT TO TAIWAN.**
- 2 The President shall carry out the sale of no fewer
- 3 than 66 F-16C/D multirole fighter aircraft to Taiwan.



139. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
Roskam (IL) OR HIS OR HER DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1960
OFFERED BY MR. ROSKAM OF ILLINOIS**

At the end of subtitle E of title XII of division A,
add the following new section:

1 **SEC. 12_. STATEMENT OF POLICY AND REPORT ON THE IN-**
2 **HERENT RIGHT OF ISRAEL TO SELF-DE-**
3 **FENSE.**

4 (a) FINDINGS.—Congress makes the following find-
5 ings:

6 (1) The United States-Israel Enhanced Security
7 Cooperation Act of 2012 (22 U.S.C. 8601 et seq.)
8 established the policy of the United States to sup-
9 port the inherent right of Israel to self-defense.

10 (2) The United States-Israel Enhanced Security
11 Cooperation Act of 2012 (22 U.S.C. 8601 et seq.)
12 expressed the sense of Congress that the Govern-
13 ment of the United States should transfer to the
14 Government of Israel defense articles and defense
15 services such as air refueling tankers, missile de-
16 fense capabilities, and specialized munitions.

17 (3) The inherent right of Israel to self-defense
18 necessarily includes the possession and maintenance

1 by Israel of an independent capability to remove ex-
2 istential threats to its security and defend its vital
3 national interests.

4 (b) POLICY OF THE UNITED STATES.—It is the pol-
5 icy of the United States to take all necessary steps to en-
6 sure that Israel possesses and maintains an independent
7 capability to remove existential threats to its security and
8 defend its vital national interests.

9 (c) SENSE OF CONGRESS.—It is the sense of Con-
10 gress that air refueling tankers and advanced bunker-
11 buster munitions should immediately be transferred to
12 Israel to ensure our democratic ally has an independent
13 capability to remove any existential threat posed by the
14 Iranian nuclear program and defend its vital national in-
15 terests.

16 (d) REPORT.—Not later than 90 days after the date
17 of the enactment of this Act, and every 90 days thereafter,
18 the President shall submit to the House and Senate
19 Armed Services committees, the House Foreign Affairs
20 Committee, the Senate Foreign Relations Committee, and
21 the House and Senate Appropriations committees a report
22 that—

23 (1) identifies all aerial refueling platforms,
24 bunker-buster munitions, and other capabilities and
25 platforms that would contribute significantly to the

1 maintenance by Israel of a robust independent capa-
2 bility to remove existential security threats, includ-
3 ing nuclear and ballistic missile facilities in Iran,
4 and defend its vital national interests;

5 (2) assesses the availability for sale or transfer
6 of items necessary to acquire the capabilities and
7 platforms described in paragraph (1) as well as the
8 legal authorities available for making such transfers;
9 and

10 (3) describes the steps the President is taking
11 to immediately transfer the items described in para-
12 graph (1) pursuant to the policy described in sub-
13 section (b).



140. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
Bridenstine (OK) OR HIS OR HER DESIGNEE, DEBATABLE
FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1960
OFFERED BY MR. BRIDENSTINE OF OKLAHOMA**

Add at the end of subtitle E of title XII the following:

1 SEC. 1259. REPORT ON COLLECTIVE AND NATIONAL SECURITY IMPLICATIONS OF CENTRAL ASIAN AND SOUTH CAUCASUS ENERGY DEVELOPMENT.

2 (a) FINDINGS.—Congress finds the following:

3 (1) Assured access to stable energy supplies is an enduring concern of both the United States and the North Atlantic Treaty Organization (NATO) .

4 (2) Adopted in Lisbon in November 2010, the new NATO Strategic Concept declares that “[s]ome NATO countries will become more dependent on foreign energy suppliers and in some cases, on foreign energy supply and distribution networks for their energy needs”.

5 (3) The report required by section 1233 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81) reaffirmed the Strategic Concept’s assessment of growing energy dependence of some members of the NATO alliance and also

1 noted there is value in the assured access, protec-
2 tion, and delivery of energy.

3 (4) Development of energy resources and tran-
4 sit routes in the areas surrounding the Caspian Sea
5 can diversify sources of supply for members of the
6 NATO alliance, particularly those in Eastern Eu-
7 rope.

8 (b) REPORT.—

9 (1) REPORT.—Not later than 270 days after
10 the date of the enactment of this Act, the Secretary
11 of Defense shall, in consultation with the Secretary
12 of State and the Secretary of Energy, submit to the
13 appropriate congressional committees a detailed re-
14 port on the implications of new energy resource de-
15 velopment and distribution networks, both planned
16 and under construction, in the areas surrounding the
17 Caspian Sea for energy security strategies of the
18 United States and NATO.

19 (2) ELEMENTS.—The report required by para-
20 graph (1) shall include the following:

21 (A) An assessment of the dependence of
22 NATO members on a single oil or natural gas
23 supplier or distribution network.

24 (B) An assessment of the potential of en-
25 ergy resources of the areas surrounding the

1 Caspian Sea to mitigate such dependence on a
2 single supplier or distribution network.

3 (C) Recommendations, if any, for ways in
4 which the United States can help support in-
5 creased energy security for NATO members.

6 (3) SUBMISSION OF CLASSIFIED INFORMA-
7 TION.—The report under this subsection shall be
8 submitted in unclassified form, but may contain a
9 classified annex.

10 (e) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
11 FINED.—In this section, the term “appropriate congres-
12 sional committees” means—

13 (1) the Committee on Armed Services and the
14 Committee on Foreign Affairs of the House of Rep-
15 resentatives; and

16 (2) the Committee on Armed Services and the
17 Committee on Foreign Relations of the Senate.



141. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
Welch (VT) OR HIS OR HER DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1960
OFFERED BY MR. WELCH OF VERMONT**

At the end of subtitle E of title XII, add the following:

1 SEC. 1259. REPORT ON CERTAIN FINANCIAL ASSISTANCE

2 TO AFGHAN MILITARY.

3 Not later than 180 days after the date of the enact-
4 ment of this Act, the Secretary of Defense shall submit
5 to Congress a report on measures to monitor and ensure
6 that United States financial assistance to the Afghan Na-
7 tional Security Forces to purchase fuel is not used to pur-
8 chase fuel from Iran in violation of United States sanc-
9 tions.



142. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
Ros-Lehtinen (FL) OR HIS OR HER DESIGNEE, DEBATABLE
FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1960
OFFERED BY MS. ROS-LEHTINEN OF FLORIDA**

At the end of subtitle E of title XII (page 551, after line 12), add the following new section:

**1 SEC. 1259. COMBATING CRIME THROUGH INTELLIGENCE
2 CAPABILITIES.**

3 The Secretary of Defense is authorized to deploy as-
4 sets, personnel, and resources to the Joint Interagency
5 Task Force South, in coordination with SOUTHCOM, to
6 combat the following by supplying sufficient intelligence
7 capabilities:

- 8 (1) Transnational criminal organizations.
- 9 (2) Drug trafficking.
- 10 (3) Bulk shipments of narcotics or currency.
- 11 (4) Narco-terrorism.
- 12 (5) Human trafficking.
- 13 (6) The Iranian presence in the Western Hemi-
14 sphere.



143. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
Lamborn (CO) OR HIS OR HER DESIGNEE, DEBATABLE FOR
10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1620
OFFERED BY MR. LAMBORN OF COLORADO**

At the end of subtitle E of title XII of division A,
add the following new section:

1 **SEC. 12_. SENSE OF CONGRESS ON THE THREAT POSED BY**
2 **HEZBOLLAH.**

3 (a) FINDINGS.—Congress finds the following:

4 (1) Hezbollah has been designated a foreign
5 terrorist organization by the Department of State
6 since October 8, 1997.

7 (2) Hezbollah has been responsible for numer-
8 ous terrorist attacks and attempted terrorist attacks
9 around the world, including attacks against United
10 States citizens.

11 (3) Hezbollah is active in Europe and has been
12 linked to a July 18, 2012, suicide bombing in Bul-
13 garia which killed five people.

14 (4) Hezbollah operatives have been captured
15 around the world attacking or attempting to attack
16 Western and Israeli targets.

17 (5) The United States is working with its Euro-
18 pean allies to combat terrorism through a variety of

1 means, including through NATO's Partnership Ac-
2 tion Plan against Terrorism and the Defence
3 Against Terrorism Programme of Work.

4 (b) SENSE OF CONGRESS.—It is the sense of Con-
5 gress that—

6 (1) the United States should continue to use all
7 necessary means to fight against terrorism, includ-
8 ing Hezbollah;

9 (2) President Obama should strongly encourage
10 his European counterparts to publicly condemn
11 Hezbollah;

12 (3) European allies should seek to officially rec-
13 ognize Hezbollah as a terrorist organization;

14 (4) any attempt to distinguish between military
15 and civilian wings in Hezbollah is meaningless; and

16 (5) all countries should work together to fight
17 radical terrorist organizations like Hezbollah.



144. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
Gosar (AZ) OR HIS OR HER DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1960
OFFERED BY MR. GOSAR OF ARIZONA**

At the end of subtitle E of title XII of division A,
add the following new section:

1 SEC. 12__ . ISRAEL'S RIGHT TO SELF-DEFENSE.

- 2 Congress fully supports Israel's lawful exercise of
3 self-defense, including actions to halt regional aggression.



145. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
Bridenstine (OK) OR HIS OR HER DESIGNEE, DEBATABLE
FOR 10 MINUTES

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**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1960
OFFERED BY MR. BRIDENSTINE OF OKLAHOMA**

Page 551, after line 12, insert the following:

1 **SEC. 1259. REPORT ON MILITARY AND SECURITY DEVELOP-**
2 **MENTS INVOLVING THE RUSSIAN FEDERA-**
3 **TION.**

4 (a) REPORT.—Not later than June 1, 2014, and
5 June 1 of each year thereafter through 2017, the Sec-
6 retary of Defense shall submit to the specified congres-
7 sional committees a report, in both classified and unclassi-
8 fied form, on the current and future military power of the
9 Russian Federation (in this section referred to as “Rus-
10 sia”). The report shall address the current and probable
11 future course of military-technological development of the
12 Russian military, the tenets and probable development of
13 Russian security strategy and military strategy, and mili-
14 tary organizations and operational concepts, for the 20-
15 year period following submission of such report.

16 (b) MATTERS TO BE INCLUDED.—A report required
17 under subsection (a) shall include the following:

18 (1) An assessment of the security situation in
19 regions neighboring Russia.

1 (2) The goals and factors shaping Russian se-
2 curity strategy and military strategy.

3 (3) Trends in Russian security and military be-
4 havior that would be designed to achieve, or that are
5 consistent with, the goals described in paragraph
6 (2).

7 (4) An assessment of Russia's global and re-
8 gional security objectives, including objectives that
9 would affect the North Atlantic Treaty Organiza-
10 tion, the Middle East, and the People's Republic of
11 China.

12 (5) A detailed assessment of the sizes, loca-
13 tions, and capabilities of Russian nuclear, special op-
14 erations, land, sea, and air forces.

15 (6) Developments in Russian military doctrine
16 and training.

17 (7) An assessment of the proliferation activities
18 of Russia and Russian entities, as a supplier of ma-
19 terials, technologies, or expertise relating to nuclear
20 weapons or other weapons of mass destruction or
21 missile systems.

22 (8) Developments in Russia's asymmetric capa-
23 bilities, including its strategy and efforts to develop
24 and deploy cyberwarfare and electronic warfare ca-
25 pabilities, details on the number of malicious cyber

1 incidents originating from Russia against Depart-
2 ment of Defense infrastructure, and associated ac-
3 tivities originating or suspected of originating from
4 Russia.

5 (9) The strategy and capabilities of Russian
6 space and counterspace programs, including trends,
7 global and regional activities, the involvement of
8 military and civilian organizations, including state-
9 owned enterprises, academic institutions, and com-
10 mercial entities, and efforts to develop, acquire, or
11 gain access to advanced technologies that would en-
12 hance Russian military capabilities.

13 (10) Developments in Russia's nuclear pro-
14 gram, including the size and state of Russia's stock-
15 pile, its nuclear strategy and associated doctrines, its
16 civil and military production capacities, and projec-
17 tions of its future arsenals.

18 (11) A description of Russia's anti-access and
19 area denial capabilities.

20 (12) A description of Russia's command, con-
21 trol, communications, computers, intelligence, sur-
22 veillance, and reconnaissance modernization program
23 and its applications for Russia's precision guided
24 weapons.

1 (13) In consultation with the Secretary of En-
2 ergy and the Secretary of State, developments re-
3 garding United States-Russian engagement and co-
4 operation on security matters.

5 (14) The current state of United States mili-
6 tary-to-military contacts with the Russian Federa-
7 tion Armed Forces, which shall include the following:

8 (A) A comprehensive and coordinated
9 strategy for such military-to-military contacts
10 and updates to the strategy.

11 (B) A summary of all such military-to-mili-
12 tary contacts during the one-year period pre-
13 ceding the report, including a summary of top-
14 ics discussed and questions asked by the Rus-
15 sian participants in those contacts.

16 (C) A description of such military-to-mili-
17 tary contacts scheduled for the 12-month period
18 following such report and the plan for future
19 contacts.

20 (D) The Secretary's assessment of the ben-
21 efits the Russians expect to gain from such
22 military-to-military contacts.

23 (E) The Secretary's assessment of the ben-
24 efits the Department of Defense expects to gain

1 from such military-to-military contacts, and any
2 concerns regarding such contacts.

3 (F) The Secretary's assessment of how
4 such military-to-military contacts fit into the
5 larger security relationship between the United
6 States and the Russian Federation.

7 (15) A description of Russian military-to-mili-
8 tary relationships with other countries, including the
9 size and activity of military attaché offices around
10 the world and military education programs con-
11 ducted in Russia for other countries or in other
12 countries for the Russians.

13 (16) Other military and security developments
14 involving Russia that the Secretary of Defense con-
15 siders relevant to United States national security.

16 (c) DEFINITION.—In this section the term “specified
17 congressional committees” means—

18 (1) the Committee on Armed Services and the
19 Committee on Foreign Affairs of the House of Rep-
20 resentatives; and

21 (2) the Committee on Armed Services and the
22 Committee on Foreign Relations of the Senate.



146. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
Conyers (MI) OR HIS OR HER DESIGNEE, DEBATABLE FOR
10 MINUTES

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**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1960
OFFERED BY MR. CONYERS OF MICHIGAN**

Page 551, line 12, add at the end before the period
the following: "or Iran".



147. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
Walorski (IN) OR HIS OR HER DESIGNEE, DEBATABLE FOR
10 MINUTES

AMENDMENT TO H.R. 1960
OFFERED BY MRS. WALORSKI OF INDIANA

At the appropriate place in title XII insert the following new section:

1 **SEC. 12__.** **SENSE OF CONGRESS STRONGLY SUPPORTING**
2 **THE FULL IMPLEMENTATION OF UNITED**
3 **STATES AND INTERNATIONAL SANCTIONS ON**
4 **IRAN AND URGING THE PRESIDENT TO CON-**
5 **TINUE TO STRENGTHEN ENFORCEMENT OF**
6 **SANCTIONS LEGISLATION.**

7 (a) **FINDINGS.**—Congress finds the following:

8 (1) On May 14, 1948, the people of Israel pro-
9 claimed the establishment of the sovereign and inde-
10 pendent State of Israel.

11 (2) On March 28, 1949, the United States Gov-
12 ernment recognized the establishment of the new
13 State of Israel and established full diplomatic rela-
14 tions.

15 (3) Since its establishment nearly 65 years ago,
16 the modern State of Israel has rebuilt a nation,
17 forged a new and dynamic democratic society, and
18 created a thriving economic, political, cultural, and
19 intellectual life despite the heavy costs of war, ter-

1 rorism, and unjustified diplomatic and economic boy-
2 cotts against the people of Israel.

3 (4) The people of Israel have established a vi-
4 brant, pluralistic, democratic political system, includ-
5 ing freedom of speech, association, and religion; a
6 vigorously free press; free, fair, and open elections;
7 the rule of law; a fully independent judiciary; and
8 other democratic principles and practices.

9 (5) Since the 1979 revolution in Iran, the lead-
10 ers of the Islamic Republic of Iran have repeatedly
11 made threats against the existence of the State of
12 Israel and sponsored acts of terrorism and violence
13 against its citizens.

14 (6) On October 27, 2005, President of Iran
15 Mahmoud Ahmadinejad called for a world without
16 America and Zionism.

17 (7) In February 2012, Supreme Leader of Iran
18 Ali Khamenei said of Israel, "The Zionist regime is
19 a true cancer tumor on this region that should be
20 cut off. And it definitely will be cut off."

21 (8) In August 2012, Supreme Leader
22 Khamenei said of Israel, "This bogus and fake Zion-
23 ist outgrowth will disappear off the landscape of ge-
24 ography."

1 (9) In August 2012, President Ahmadinejad
2 said that “in the new Middle East . . . there will be
3 no trace of the American presence and the Zionists”;

4 (10) The Department of State has designated
5 the Islamic Republic of Iran as a state sponsor of
6 terrorism since 1984 and has characterized the Is-
7 lamic Republic of Iran as the “most active state
8 sponsor of terrorism” in the world.

9 (11) The Government of the Islamic Republic of
10 Iran has provided weapons, training, funding, and
11 direction to terrorist groups, including Hamas,
12 Hizballah, and Shiite militias in Iraq that are re-
13 sponsible for the murder of hundreds of United
14 States service members and innocent civilians.

15 (12) The Government of the Islamic Republic of
16 Iran has provided weapons, training, and funding to
17 the regime of Bashar al Assad that has been used
18 to suppress and murder its own people.

19 (13) Since at least the late 1980s, the Govern-
20 ment of the Islamic Republic of Iran has engaged in
21 a sustained and well-documented pattern of illicit
22 and deceptive activities to acquire a nuclear weapons
23 capability.

24 (14) Since September 2005, the Board of Gov-
25 ernors of the International Atomic Energy Agency

1 (IAEA) has found the Islamic Republic of Iran to be
2 in non-compliance with its safeguards agreement
3 with the IAEA, which Iran is obligated to undertake
4 as a non-nuclear-weapon State Party to the Treaty
5 on the Non-Proliferation of Nuclear Weapons, done
6 at Washington, London, and Moscow July 1, 1968,
7 and entered into force March 5, 1970 (NPT).

8 (15) The United Nations Security Council has
9 adopted multiple resolutions since 2006 demanding
10 of the Government of the Islamic Republic of Iran
11 its full and sustained suspension of all uranium en-
12 richment-related and reprocessing activities and its
13 full cooperation with the IAEA on all outstanding
14 issues related to its nuclear activities, particularly
15 those concerning the possible military dimensions of
16 its nuclear program.

17 (16) The Government of the Islamic Republic of
18 Iran has refused to comply with United Nations Se-
19 curity Council resolutions or to fully cooperate with
20 the IAEA.

21 (17) In November 2011, the IAEA Director
22 General issued a report that documented "serious
23 concerns regarding possible military dimensions to
24 Iran's nuclear programme", and affirmed that infor-
25 mation available to the IAEA indicates that "Iran

1 has carried out activities relevant to the development
2 of a nuclear explosive device” and that some activi-
3 ties may be ongoing.

4 (18) The Government of Iran stands in viola-
5 tion of the Universal Declaration of Human Rights
6 for denying its citizens basic freedoms, including the
7 freedoms of expression, religion, peaceful assembly
8 and movement, and for flagrantly abusing the rights
9 of minorities and women.

10 (19) In his State of the Union Address on Jan-
11 uary 24, 2012, President Barack Obama stated,
12 “Let there be no doubt: America is determined to
13 prevent Iran from getting a nuclear weapon, and I
14 will take no options off the table to achieve that
15 goal.”.

16 (20) Congress has passed and the President has
17 signed into law legislation imposing significant eco-
18 nomic and diplomatic sanctions on Iran to encourage
19 the Government of Iran to abandon its pursuit of
20 nuclear weapons and end its support for terrorism.

21 (21) These sanctions, while having significant
22 effect, have yet to persuade Iran to abandon its il-
23 licit pursuits and comply with United Nations Secu-
24 rity Council resolutions.

1 (22) More stringent enforcement of sanctions
2 legislation, including elements targeting oil exports
3 and access to foreign exchange, could still lead the
4 Government of Iran to change course.

5 (23) In his State of the Union Address on Feb-
6 ruary 12, 2013, President Obama reiterated, "The
7 leaders of Iran must recognize that now is the time
8 for a diplomatic solution, because a coalition stands
9 united in demanding that they meet their obliga-
10 tions. And we will do what is necessary to prevent
11 them from getting a nuclear weapon."

12 (24) On March 4, 2012, President Obama stat-
13 ed, "Iran's leaders should understand that I do not
14 have a policy of containment; I have a policy to pre-
15 vent Iran from obtaining a nuclear weapon."

16 (25) On October 22, 2012, President Obama
17 said of Iran, "The clock is ticking . . . And we're
18 going to make sure that if they do not meet the de-
19 mands of the international community, then we are
20 going to take all options necessary to make sure
21 they don't have a nuclear weapon."

22 (26) On May 19, 2011, President Obama stat-
23 ed, "Every state has the right to self-defense, and
24 Israel must be able to defend itself, by itself, against
25 any threat."

1 (27) On September 21, 2011, President Obama
2 stated, "America's commitment to Israel's security
3 is unshakeable. Our friendship with Israel is deep
4 and enduring."

5 (28) On March 4, 2012, President Obama stat-
6 ed, "And whenever an effort is made to delegitimize
7 the state of Israel, my administration has opposed
8 them. So there should not be a shred of doubt by
9 now: when the chips are down, I have Israel's
10 back."

11 (29) On October 22, 2012, President Obama
12 stated, "Israel is a true friend. And if Israel is at-
13 tacked, America will stand with Israel. I've made
14 that clear throughout my presidency . . . I will stand
15 with Israel if they are attacked."

16 (30) In December 2012, 74 United States Sen-
17 ators wrote to President Obama "As you begin your
18 second term as President, we ask you to reiterate
19 your readiness to take military action against Iran
20 if it continues its efforts to acquire a nuclear weap-
21 on. In addition, we urge you to work with our Euro-
22 pean and Middle Eastern allies to demonstrate to
23 the Iranians that a credible and capable multilateral
24 coalition exists that would support a military strike
25 if, in the end, this is unfortunately necessary."

(31) The United States-Israel Enhanced Security Cooperation Act of 2012 (Public Law 112–150) stated that it is United States policy to support Israel’s inherent right to self-defense.

(b) SENSE OF CONGRESS.—Congress—

(1) reaffirms the special bonds of friendship and cooperation that have existed between the United States and the State of Israel for more than sixty years and that enjoy overwhelming bipartisan support in Congress and among the people of the United States;

(2) strongly supports the close military, intelligence, and security cooperation that President Obama has pursued with Israel and urges this cooperation to continue and deepen;

(3) deplores and condemns, in the strongest possible terms, the reprehensible statements and policies of the leaders of the Islamic Republic of Iran threatening the security and existence of Israel;

(4) recognizes the tremendous threat posed to the United States, the West, and Israel by the Government of Iran’s continuing pursuit of a nuclear weapons capability;

(5) reiterates that the policy of the United States is to prevent Iran from acquiring a nuclear

1 weapon capability and to take such action as may be
2 necessary to implement this policy;

3 (6) reaffirms its strong support for the full im-
4 plementation of United States and international
5 sanctions on Iran and urges the President to con-
6 tinue and strengthen enforcement of sanctions legis-
7 lation;

8 (7) declares that the United States has a vital
9 national interest in, and unbreakable commitment
10 to, ensuring the existence, survival, and security of
11 the State of Israel, and reaffirms United States sup-
12 port for Israel's right to self-defense; and

13 (8) urges that, if the Government of Israel is
14 compelled to take military action in legitimate self-
15 defense against Iran's nuclear weapons program, the
16 United States Government should stand with Israel
17 and provide, in accordance with United States law
18 and the constitutional responsibility of Congress to
19 authorize the use of military force, diplomatic, mili-
20 tary, and economic support to the Government of
21 Israel in its defense of its territory, people, and ex-
22 istence.

1 (c) RULE OF CONSTRUCTION.—Nothing in this sec-
2 tion shall be construed as an authorization for the use of
3 force or a declaration of war.



148. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE Fortenberry (NE) OR HIS OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1960
OFFERED BY MR. FORTENBERRY OF NEBRASKA**

At the end of title XIII, add the following new section:

1 **SEC. 13_. STRATEGY TO MODERNIZE COOPERATIVE**
2 **THREAT REDUCTION AND PREVENT THE**
3 **PROLIFERATION OF WEAPONS OF MASS DE-**
4 **STRUCTION AND RELATED MATERIALS IN**
5 **THE MIDDLE EAST AND NORTH AFRICA RE-**
6 **GION.**

7 (a) **STRATEGY REQUIRED.**—The Secretary of De-
8 fense, in consultation with the Secretary of State and the
9 Secretary of Energy, shall establish a comprehensive and
10 broad nonproliferation strategy to modernize cooperative
11 threat reduction and advance cooperative efforts with
12 international partners to reduce the threat from the pro-
13 liferation of weapons of mass destruction and related ma-
14 terials in the Middle East and North Africa region.

15 (b) **ELEMENTS.**—The strategy required by subsection
16 (a) shall—

17 (1) build upon the current activities of the De-
18 partments of Defense, State, and Energy's non-

1 proliferation programs that aim to mitigate the
2 range of threats in the Middle East and North Afri-
3 ca region posed by weapons of mass destruction;

4 (2) review issues relating to the threat from the
5 proliferation of weapons of mass destruction and re-
6 lated materials in the Middle East and North Africa
7 region on a regional basis as well as on a country-
8 by-country basis;

9 (3) review the activities and achievements in the
10 Middle East and North Africa region of the Depart-
11 ment of Defense Cooperative Threat Reduction Pro-
12 gram and the nonproliferation programs at the De-
13 partment of State and Department of Energy and
14 other United States Government agencies and de-
15 partments designed to address nuclear, radiological,
16 chemical, and biological safety and security issues;

17 (4) ensure the continued coordination of cooper-
18 ative nonproliferation efforts within the United
19 States Government and further mobilize and lever-
20 age additional resources from partner nations, non-
21 governmental and multilateral organizations, and
22 international institutions;

23 (5) include an assessment of what countries are
24 financially, materially, or technologically supporting

1 proliferation in this region and how the strategy will
2 prevent, stop or interdict the support;

3 (6) include an estimate of associated costs re-
4 quired to plan and execute the proposed cooperative
5 threat reduction activities in order to execute the
6 comprehensive strategy to prevent the proliferation
7 of weapons of mass destruction and related mate-
8 rials; and

9 (7) include a discussion of the metrics to meas-
10 ure the strategy's and activities' success in reducing
11 the regional threat of the proliferation of weapons of
12 mass destruction.

13 (c) INTEGRATION AND COORDINATION.—The strat-
14 egy required by subsection (a) shall include an assessment
15 of gaps in current cooperative nonproliferation efforts, an
16 articulation of agencies' threat reduction priorities in the
17 Middle East and North Africa region, the establishment
18 of appropriate metrics for determining success in the re-
19 gion, and steps to ensure that the strategy fits in broader
20 United States efforts to reduce the threat from weapons
21 of mass destruction.

22 (d) CONSULTATION.—In establishing the strategy re-
23 quired by subsection (a), the Secretary of Defense may
24 consult with both governmental and nongovernmental ex-
25 perts from a diverse set of views.

1 (e) STRATEGY AND IMPLEMENTATION PLAN.—Not
2 later than March 31, 2014, the Secretary of Defense shall
3 submit to the specified congressional committees the coop-
4 erative threat reduction modernization strategy required
5 by subsection (a), as well as a plan for the implementation
6 of the strategy required by subsection (a).

7 (f) FORM.—The strategy required by subsection (a)
8 shall be submitted in unclassified form, but may include
9 a classified annex.

10 (g) SPECIFIED CONGRESSIONAL COMMITTEES.—In
11 this section, the term “specific congressional committees”
12 means—

13 (1) the Committee on Armed Services, the
14 Committee on Foreign Affairs, and the Committee
15 on Appropriations of the House of Representatives;
16 and

17 (2) the Committee on Armed Services, the
18 Committee on Foreign Relations, and the Committee
19 on Appropriations of the Senate.



149. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
Hanna (NY) OR HIS OR HER DESIGNEE, DEBATABLE FOR 10
MINUTES

Richard Hanna 72
NY-22

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1960**

OFFERED BY *Mr. Hanna for himself, Mr. Graves of Missouri, Mr. Hunter, Mr. Smuster, and Mr. Connolly*

Page 582, insert after line 25 the following:

1 **SEC. 1607. CREDIT FOR CERTAIN SUBCONTRACTORS .**

2 (a) IN GENERAL.—Section 8(d) of the Small Busi-
3 ness Act (15 U.S.C. 637(d)) is amended by adding at the
4 end the following:

5 “(16) CREDIT FOR CERTAIN SUBCON-
6 TRACTOR.—For purposes of determining whether or
7 not a prime contractor has attained the percentage
8 goals specified in paragraph (6)—

9 “(A) if the subcontracting goals pertain
10 only to a single contract with the executive
11 agency, the prime contractor shall receive credit
12 for small business concerns performing as first
13 tier subcontractors or subcontractors at any tier
14 pursuant to the subcontracting plans required
15 under paragraph (6)(D) in an amount equal to
16 the dollar value of work awarded to such small
17 business concerns; and

18 “(B) if the subcontracting goals pertain to
19 more than one contract with one or more execu-

1 tive agencies, or to one contract with more than
2 one executive agency, the prime contractor may
3 only count first tier subcontractors that are
4 small business concerns.”.

5 (b) DEFINITIONS PERTAINING TO SUBCON-
6 TRACTING.—Section 3 of the Small Business Act (15
7 U.S.C. 632) is amended by adding at the end the fol-
8 lowing:

9 “(dd) DEFINITIONS PERTAINING TO SUBCON-
10 TRACTING.—In this Act:

11 “(1) SUBCONTRACT.—The term ‘subcontract’
12 means a legally binding agreement between a con-
13 tractor that is already under contract to another
14 party to perform work, and a third party, herein-
15 after referred to as the subcontractor, for the sub-
16 contractor to perform a part, or all, of the work that
17 the contractor has undertaken.

18 “(2) FIRST TIER SUBCONTRACTOR.—The term
19 ‘first tier subcontractor’ means a subcontractor who
20 has a subcontract directly with the prime contractor.

21 “(3) AT ANY TIER.—The term ‘at any tier’
22 means any subcontractor other than a subcontractor
23 who is a first tier subcontractor.”.

1 **SEC. 1608. GAO STUDY ON SUBCONTRACTING REPORTING**
2 **SYSTEMS.**

3 Not later than 365 days after the date of enactment
4 of this Act, the Comptroller General of the United States
5 shall submit to the Committee on Small Business of the
6 House of Representatives and to the Committee on Small
7 Business and Entrepreneurship of the Senate a report
8 studying the feasibility of using Federal subcontracting re-
9 porting systems, including the Federal subaward reporting
10 system required by section 2 of the Federal Funding Ac-
11 countability and Transparency Act of 2006 and any elec-
12 tronic subcontracting reporting award system used by the
13 Small Business Administration, to attribute subcontrac-
14 tors to particular contracts in the case of contractors that
15 have subcontracting plans under section 8(d) of the Small
16 Business Act that pertain to multiple contracts with exec-
17 utive agencies.



150. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE Graves (MO) OR HIS OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES



**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1960**

OFFERED BY M r. Graves of Missouri and Mr Hanna

Page 582, insert after line 25 the following:

1 **SEC. 1607. INAPPLICABILITY OF REQUIREMENT TO REVIEW**
2 **AND JUSTIFY CERTAIN CONTRACTS.**

3 In the case of a contract to which the provisions of
4 section 46 of the Small Business Act (15 U.S.C. 657s)
5 apply, the requirements under section 802 of the National
6 Defense Authorization Act for Fiscal Year 2013 do not
7 apply.



151. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
Schrader (OR) OR HIS OR HER DESIGNEE, DEBATABLE FOR
10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1960
OFFERED BY MR. SCHRADER OF OREGON**

At the end of title XVI, insert the following new section:

1 **SEC. 1607. PROGRAM TO PROVIDE FEDERAL CONTRACTS**
2 **TO EARLY STAGE SMALL BUSINESSES.**

3 (a) IN GENERAL.—The Small Business Act (15
4 U.S.C. 631 et seq.) is amended by adding at the end the
5 following:

6 **“SEC. 48. PROGRAM TO PROVIDE FEDERAL CONTRACTS TO**
7 **EARLY STAGE SMALL BUSINESSES.**

8 “(a) ESTABLISHMENT.—The Administrator shall es-
9 tablish and carry out a program in accordance with the
10 requirements of this section to provide improved access to
11 Federal contract opportunities for early stage small busi-
12 ness concerns.

13 “(b) PROCUREMENT CONTRACTS.—

14 “(1) IN GENERAL.—In carrying out subsection
15 (a), the Administrator, in consultation with other
16 Federal agencies, shall identify procurement con-
17 tracts of Federal agencies for award under the pro-
18 gram.

1 “(2) CONTRACT AWARDS.—Under the program
2 established pursuant to this section, the award of a
3 procurement contract of a Federal agency identified
4 by the Administrator pursuant to paragraph (1)
5 shall be made by the agency to an eligible program
6 participant selected, and determined to be respon-
7 sible, by the agency.

8 “(3) COMPETITION.—

9 “(A) SOLE SOURCE.—A contracting officer
10 may award a sole source contract under this
11 program if such concern is determined to be a
12 responsible contractor with respect to perform-
13 ance of such contract opportunity and the con-
14 tracting officer does not have a reasonable ex-
15 pectation that 2 or more early stage small busi-
16 ness concerns will submit offers for the con-
17 tracting opportunity and in the estimation of
18 the contracting officer, the contract award can
19 be made at a fair and reasonable price.

20 “(B) RESTRICTED COMPETITION.—A con-
21 tracting officer may award contracts on the
22 basis of competition restricted to early stage
23 small business concerns if the contracting offi-
24 cer has a reasonable expectation that not less
25 than 2 early stage small business concerns will

1 submit offers and that the award can be made
2 at a fair market price.

3 “(4) CONTRACT VALUE.—Contracts shall be
4 awarded under this program if its value is greater
5 than \$3,000 and less than half the upper threshold
6 of section 15(j)(1) of the Small Business Act.

7 “(c) ELIGIBILITY.—Only an early stage small busi-
8 ness concern shall be eligible to compete for a contract
9 to be awarded under the program. The Administrator shall
10 certify that a small business concern is an early stage
11 small business concern, or the Administrator shall approve
12 a Federal agency, a State government, or a national certi-
13 fying entity to certify that the business meets the eligi-
14 bility criteria of an early stage small business concern.

15 “(d) TECHNICAL ASSISTANCE.—The Administrator
16 shall provide early stage small business concerns with
17 technical assistance and counseling with regard to—

18 “(1) applying for and competing for Federal
19 contracts; and

20 “(2) fulfilling the administrative responsibilities
21 associated with the performance of a Federal con-
22 tract.

23 “(e) ATTAINMENT OF CONTRACT GOALS.—All con-
24 tract awards made under the program shall be counted

1 toward the attainment of the goals specified in section
2 15(g) of the Small Business Act.

3 “(f) REGULATIONS.—The Administrator shall—

4 “(1) issue proposed regulations to carry out
5 this section not later than 180 days after the date
6 of enactment of this Act; and

7 “(2) issue final regulations to carry out this
8 section not later than 270 days after the date of en-
9 actment of this Act.

10 “(g) REPORT TO CONGRESS.—Not later than April
11 30, 2015, the Administrator shall transmit to the Con-
12 gress a report on the performance of the program.

13 “(h) DEFINITIONS.—For purposes of this section, the
14 following definitions shall apply:

15 “(1) PROGRAM.—The term ‘program’ means a
16 program established pursuant to subsection (a).

17 “(2) EARLY STAGE SMALL BUSINESS CON-
18 CERN.—The term ‘early stage small business con-
19 cern’ means a small business concern that—

20 “(A) has not more than 15 employees; and

21 “(B) has average annual receipts that total
22 not more than \$1,000,000, except if the con-
23 cern is in an industry with an average annual
24 revenue standard that is less than \$1,000,000,

1 as defined by the North American Industry
2 Classification System.”.

3 (b) REPEAL OF SIMILAR PROGRAM.—Section 304 of
4 the Small Business Administration Reauthorization and
5 Amendments Act of 1994 (15 U.S.C. 644 note) is re-
6 pealed.



152. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
Collins, Doug (GA) OR HIS OR HER DESIGNEE, DEBATABLE
FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1960
OFFERED BY MR. COLLINS OF GEORGIA**

At the end of title XXI, add the following new section:

1 **SECTION _____. TRANSFER OF ADMINISTRATIVE JURIS-**
2 **DICTION, CAMP FRANK D. MERRILL,**
3 **DAHLONEGA, GEORGIA.**

4 (a) **TRANSFER REQUIRED.**—Not later than Sep-
5 tember 30, 2014, the Secretary of Agriculture shall trans-
6 fer to the administrative jurisdiction of the Secretary of
7 the Army for required Army force protection measures
8 certain Federal land administered as part of the Chat-
9 tahoochee National Forest, but permitted to the Secretary
10 of the Army for Camp Frank D. Merrill in Dahlonega,
11 Georgia, consisting of approximately 282.304 acres identi-
12 fied in the permit numbered 0018-01.

13 (b) **USE OF TRANSFERRED LAND.**—Upon receipt of
14 the land under subsection (a), the Secretary of the Army
15 shall continue to use the land for military purposes.

16 (c) **PROTECTION OF THE ETOWAH DARTER AND**
17 **HOLIDAY DARTER.**—Nothing in the transfer required by
18 subsection (a) shall affect the prior designation of lands

1 within the Chattahoochee National Forest as critical habi-
2 tat for the Etowah darter (*Etheostoma etowahae*) and the
3 Holiday darter (*Etheostoma brevirostrum*).

4 (d) LEGAL DESCRIPTION AND MAP.—

5 (1) PREPARATION AND PUBLICATION.—The
6 Secretary of Agriculture shall publish in the Federal
7 Register a legal description and map of the land to
8 be transferred under subsection (a) not later than
9 180 days of this Act's enactment.

10 (2) FORCE OF LAW.—The legal description and
11 map filed under paragraph (1) shall have the same
12 force and effect as if included in this Act, except
13 that the Secretary of Agriculture may correct errors
14 in the legal description and map.

15 (e) REIMBURSEMENTS OF COSTS.—The transfer re-
16 quired by subsection (a) shall be made without reimburse-
17 ment, except that the Secretary of the Army shall reim-
18 burse the Secretary of Agriculture for any costs incurred
19 by the Secretary of Agriculture to prepare the legal de-
20 scription and map under subsection (c).



153. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
Murphy, Tim (PA) OR HIS OR HER DESIGNEE, DEBATABLE
FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1960
OFFERED BY MR. MURPHY OF PENNSYLVANIA**

At the end of title XXVII, add the following new
section:

1 **SEC. 27 . CONSIDERATION OF THE VALUE OF SERVICES**
2 **PROVIDED BY A LOCAL COMMUNITY TO THE**
3 **ARMED FORCES AS PART OF THE ECONOMIC**
4 **ANALYSIS IN MAKING BASE REALIGNMENT**
5 **OR CLOSURE DECISIONS.**

6 As part of the economic analysis conducted in making
7 any base realignment or closure decision under section
8 2687 of title 10, United States Code, or other base re-
9 alignment or closure authority, or in making any decision
10 under section 993 of such title to reduce the number of
11 members of the armed forces assigned at a military instal-
12 lation, the Secretary of Defense shall include an account-
13 ing of the value of services, such as schools, libraries, and
14 utilities, as well as land, structures, and access to infra-
15 structure, such as airports and seaports, that are provided
16 by the local community to the military installation and
17 that result in cost savings for the Armed Forces.



154. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
Turner (OH) OR HIS OR HER DESIGNEE, DEBATABLE FOR
10 MINUTES

29-72

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1960
OFFERED BY MR. TURNER OF OHIO**

At the end of section 2801, add the following new subsection:

1 (d) MODIFICATION AND EXTENSION OF AUTHORITY
2 FOR LABORATORY REVITALIZATION PROJECTS.—

3 (1) IN GENERAL.—Subsection (d) of section
4 2805 of title 10, United States Code, is amended—

5 (A) in paragraph (1)(A), by striking “not
6 more than \$2,000,000” and inserting “not
7 more than \$4,000,000, notwithstanding sub-
8 section (c)”;

9 (B) in paragraph (2), by striking the first
10 sentence and inserting the following: “For pur-
11 poses of this subsection, an unspecified minor
12 military construction project is a military con-
13 struction project that (notwithstanding sub-
14 section (a)) has an approved cost equal to or
15 less than \$4,000,000.”

16 (C) in paragraph (5), by striking “2016”
17 and inserting “2020”.

1 (2) APPLICATION TO CURRENT PROJECTS.—

2 The amendments made by paragraph (1) do not
3 apply to any laboratory revitalization project for
4 which the design phase has been completed as of the
5 date of the enactment of this Act.



155. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
Garcia (FL) OR HIS OR HER DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1960
OFFERED BY MR. GARCIA OF FLORIDA**

Page 617, after line 7, insert the following:

1 **SEC. 2807A. DEPARTMENT OF DEFENSE REPORT ON MILI-**
2 **TARY HOUSING PRIVATIZATION INITIATIVE.**

3 Not later than 90 days after enactment of this Act,
4 the Secretary of Defense shall issue a report to Congress
5 on the Military Housing Privatization Initiative under
6 subchapter IV of chapter 169 of title 10, United States
7 Code. The report shall include the details of any project
8 where the project owner has outstanding local, county,
9 city, town or State tax obligations dating back over 12
10 months, as determined by a final judgment by a tax au-
11 thority.



156. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE Blumenauer (OR) OR HIS OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1960
OFFERED BY MR. BLUMENAUER OF OREGON**

Page 617, after line 22, insert the following:

1 **SEC. 2809. DEVELOPMENT OF MASTER PLANS FOR MAJOR**
2 **MILITARY INSTALLATIONS.**

3 Section 2864 of title 10, United States Code, is
4 amended—

5 (1) in subsection (a)—

6 (A) by striking “At a time” and inserting
7 “(1) At a time”; and

8 (B) by adding at the end the following new
9 paragraph:

10 “(2) To address the requirements under paragraph
11 (1), each installation master plan shall include consider-
12 ation of—

13 “(A) planning for compact and infill develop-
14 ment;

15 “(B) horizontal and vertical mixed-use develop-
16 ment;

17 “(C) the full lifecycle costs of planning deci-
18 sions;

1 “(D) healthy communities with a focus on walk-
2 ing, running and biking infrastructure, pedestrian
3 and cycling plans, and community green and garden
4 space; and

5 “(E) capacity planning through the establish-
6 ment of growth boundaries around cantonment areas
7 to focus development towards the core and preserve
8 range and training space.”.

9 (2) in subsection (b)—

10 (A) by striking “The transportation” and
11 inserting “(1) The transportation”; and

12 (B) by adding at the end the following new
13 paragraph:

14 “(2) To address the requirements under subsection
15 (a) and paragraph (1), each installation master plan shall
16 include consideration of ways to diversify and connect
17 transit systems that do not neglect the pedestrian realm
18 and enable safe walking or biking.”;

19 (3) by redesignating subsection (c) as sub-
20 section (e); and

21 (4) by inserting after subsection (b) the fol-
22 lowing new subsections:

23 “(c) VERTICAL MIXED USES.—A master plan for a
24 major military installation shall be designed to strongly
25 multi-story, mixed-use facility solutions that are sited in

1 walkable complexes so as to avoid, when reasonable, sin-
2 gle-purpose, inflexible facilities that are sited in a sprawl-
3 ing manner. Vertical mixed-use infrastructure can inte-
4 grate government, non-government, or jointly financed
5 construction within a single unit.

6 “(d) SAVINGS CLAUSE.—Nothing in this section shall
7 supercede the requirements of section 2859(a) of this
8 title.”.



157. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
Gardner (CO) OR HIS OR HER DESIGNEE, DEBATABLE FOR
10 MINUTES

**AMENDMENT TO H.R. 1960, AS REPORTED
OFFERED BY MR. GARDNER OF COLORADO**

At the end of subtitle B of title XXVIII, add the following new section:

1 **SEC. 28__ . CONDITIONS ON DEPARTMENT OF DEFENSE**
2 **EXPANSION OF PIÑON CANYON MANEUVER**
3 **SITE, FORT CARSON, COLORADO.**

4 (a) FINDINGS.—Congress finds the following:

5 (1) Following Japan's attack on Pearl Harbor,
6 Fort Carson was established in 1942 and has since
7 been a vital contributor to our Nation's defense and
8 a valued part of the State of Colorado.

9 (2) The units at Fort Carson have served with
10 a great honor and distinction in the current War on
11 Terror.

12 (3) The current Piñon Canyon Maneuver Site
13 near Fort Carson, Colorado, plays an important role
14 in training our men and women in uniform so they
15 are as prepared and effective as possible before
16 going off to war.

17 (b) CONDITIONS ON EXPANSION.—The Secretary of
18 Defense and the Secretary of the Army may not acquire
19 any land to expand the size of the Piñon Canyon Maneu-

1 ver Site near Fort Carson, Colorado, unless each of the
2 following occurs:

3 (1) The land acquisition is specifically author-
4 ized in an Act of Congress enacted after the date of
5 the enactment of this Act.

6 (2) Funds are specifically appropriated for the
7 land acquisition.

8 (3) The Secretary of Defense or the Secretary
9 of the Army, as the case may be, completes an envi-
10 ronmental impact statement with respect to the land
11 acquisition.



158. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
Hunter (CA) OR HIS OR HER DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO THE COMMITTEE PRINT OF H.R.
1960
OFFERED BY MR. HUNTER OF CALIFORNIA**

At the end of subtitle F of title XXVIII, add the following:

**1 SEC. 2866. INCLUSION OF EMBLEMS OF BELIEF AS PART OF
2 MILITARY MEMORIALS.**

3 (a) INCLUSION OF EMBLEMS OF BELIEF AUTHOR-
4 IZED.—Chapter 21 of title 36, United States Code, is
5 amended by adding at the end the following:

**6 “§ 2115. Inclusion of emblems of belief as part of mili-
7 tary memorials**

8 “(a) AUTHORIZED INCLUSION.—For the purpose of
9 honoring the sacrifice of members of the United States
10 Armed Forces, including those members who make the ul-
11 timate sacrifice in defense of the United States, emblems
12 of belief may be included as part of—

13 “(1) a military memorial that is established or
14 acquired by the United States Government; or

15 “(2) a military memorial that is not established
16 by the United States Government, but for which the
17 American Battle Monuments Commission cooperated
18 in the establishment of the memorial.

1 “(b) SCOPE OF INCLUSION.—When including em-
2 blems of belief as part of a military memorial, any ap-
3 proved emblem of belief may be included on such a memo-
4 rial. The list of approved emblems of belief shall include,
5 at a minimum, all those emblems of belief authorized by
6 the National Cemetery Administration.

7 “(c) DEFINITIONS.—In this section:

8 “(1) The terms ‘emblem of belief’ and ‘emblems
9 of belief’ refer to the emblems of belief contained on
10 the list maintained by the National Cemetery Ad-
11 ministration for placement on Government-provided
12 headstones and markers.

13 “(2) The term ‘military memorial’ means a me-
14 morial or monument commemorating the service of
15 the United States Armed Forces. The term includes
16 works of architecture and art described in section
17 2105(b) of this title.”.

18 (b) CLERICAL AMENDMENT.—The table of sections
19 at the beginning of such chapter is amended by adding
20 at the end the following:

“2115. Inclusion of emblems of belief as part of military memorials.”.



159. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
Bilirakis (FL) OR HIS OR HER DESIGNEE, DEBATABLE FOR
10 MINUTES

**AMENDMENT TO H.R. 1960, AS REPORTED
OFFERED BY MR. BILIRAKIS OF FLORIDA**

At the end of title XXVIII, add the following new
section:

1 **SEC. 28 ____.** **ESTABLISHMENT OF MILITARY DIVERS MEMO-**
2 **RIAL AT WASHINGTON NAVY YARD.**

3 (a) **MEMORIAL AUTHORIZED.**—Consistent with the
4 sense of the Congress expressed in section 2855 of the
5 National Defense Authorization Act for Fiscal Year 2013,
6 the Secretary of the Navy may permit a third party to
7 establish and maintain, at a suitable location at the former
8 Navy Dive School at the Washington Navy Yard in the
9 District of Columbia, a memorial to honor the members
10 of the United States Armed Forces who have served as
11 divers and whose service in defense of the United States
12 has been carried out beneath the waters of the world.

13 (b) **LOCATION AND DESIGN OF MONUMENT.**—The
14 actual location at the Washington Navy Yard for the me-
15 morial authorized by subsection (a) and the final design
16 of the memorial shall be subject to the approval of the
17 Secretary. In selecting the site to serve as the location for
18 the memorial, the Secretary shall seek to maximize visitor
19 access to the memorial.

1 (c) **MILITARY SUPPORT.**—The Secretary shall pro-
2 vide military ceremonial support at the dedication of the
3 memorial authorized by subsection (a).

4 (d) **USE OF FEDERAL FUNDS PROHIBITED.**—Fed-
5 eral funds may not be used to design, procure, prepare,
6 install, or maintain the memorial authorized by subsection
7 (a), but the Secretary may accept and expend contribu-
8 tions of non-Federal funds and resources for such pur-
9 poses.



160. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
Lujan (NM) OR HIS OR HER DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO H.R. 1960, AS REPORTED
OFFERED BY MR. BEN RAY LUJÁN OF NEW
MEXICO**

At the end of subtitle B of title XXXI, insert the
following new section:

1 **SEC. 3123. EXTENSION OF AUTHORITY OF SECRETARY OF**
2 **ENERGY TO ENTER INTO TRANSACTIONS TO**
3 **CARRY OUT CERTAIN RESEARCH PROJECTS.**

4 Section 646(g)(10) of the Department of Energy Or-
5 ganization Act (42 U.S.C. 7256(g)(10)) is amended by
6 striking “September 30, 2015” and inserting “September
7 30, 2020”.



161. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
Hastings (WA) OR HIS OR HER DESIGNEE, DEBATABLE FOR
10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1960
OFFERED BY MR. HASTINGS OF WASHINGTON**

At the end of subtitle D of title XXXI, insert the
following:

1 **SEC. 3145. CONVEYANCE OF LAND AT THE HANFORD SITE.**

2 (a) CONVEYANCE REQUIRED.—

3 (1) IN GENERAL.—Not later than 90 days after
4 the date of the enactment of this Act, the Secretary
5 of Energy shall convey, for consideration at the esti-
6 mated fair market value or, in accordance with para-
7 graph (2), below such value, to the Community
8 Reuse Organization of the Hanford Site (in this sec-
9 tion referred to as the “Organization”) all right,
10 title, and interest of the United States in and to the
11 real property, including any improvements thereon,
12 described in paragraph (3).

13 (2) CONSIDERATION.—The Secretary may con-
14 vey real property pursuant to paragraph (1) for con-
15 sideration below the estimated fair market value of
16 the real property, or without consideration, only if
17 the Organization—

1 (A) agrees that the net proceeds from any
2 sale or lease of the real property (or any por-
3 tion thereof) received by the Organization dur-
4 ing at least the seven-year period beginning on
5 the date of such conveyance will be used to sup-
6 port the economic redevelopment of, or related
7 to, the Hanford Site; and

8 (B) executes the agreement for such con-
9 veyance and accepts control of the real property
10 within a reasonable time.

11 (3) REAL PROPERTY DESCRIBED.—The real
12 property described in this paragraph is the real
13 property consisting of two parcels of land of approxi-
14 mately 1,341 acres and 300 acres, respectively, of
15 the Hanford Reservation, as requested by the Com-
16 munity Reuse Organization for the Hanford Site on
17 May 31, 2011, and October 13, 2011, and as de-
18 picted within the proposed boundaries on the map ti-
19 tled “Attachment 2—Revised Map” included in the
20 letter sent by the Community Reuse Organization
21 for the Hanford Site to the Department of Energy
22 on October 13, 2011.

23 (b) PRIORITY CONSIDERATION.—The Secretary shall
24 actively solicit, and provide priority consideration to, the
25 views of the cities and counties adjacent to the Hanford

- 1 Site with respect to the development and execution of the
- 2 Hanford Comprehensive Land Use Plan.



162. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
Pearce (NM) OR HIS OR HER DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1960
OFFERED BY MR. PEARCE OF NEW MEXICO**

Page 723, after line 23, insert the following:

1 **SEC. 3145. GOVERNMENT WASTE ISOLATION PILOT PLANT**
2 **EXTENSION.**

3 (a) EXTENSION OF WASTE ISOLATION PILOT PLANT
4 MISSION.—The Secretary of Energy shall manage WIPP
5 in such a way as to include, in addition to the disposal
6 of wastes authorized by section 213 of the Department
7 of Energy National Security and Military Applications of
8 Nuclear Energy Authorization Act of 1980 (Public Law
9 96-164; 93 Stat. 1259, 1265), the transportation and dis-
10 posal of any non-defense Federal Government-owned
11 transuranic waste that can be shown to meet the applica-
12 ble criteria described in the document entitled “Trans-
13 uranic Waste Acceptance Criteria For The Waste Isola-
14 tion Pilot Plant”, published by the Department of Energy
15 on April 21, 2011, or any successor document.

16 (b) DEFINITIONS.—In this section:

17 (1) DISPOSAL; TRANSURANIC WASTE.—The
18 terms “disposal” and “transuranic waste” have the
19 meanings given those terms in section 2 of the

1 Waste Isolation Pilot Plant Land Withdrawal Act
2 (Public Law 102-579; 106 Stat. 4777).

3 (2) WIPP.—The term “WIPP” means the
4 Waste Isolation Pilot Plant project authorized under
5 section 213 of the Department of Energy National
6 Security and Military Applications of Nuclear En-
7 ergy Authorization Act of 1980 (Public Law 96-164;
8 93 Stat. 1259, 1265).



163. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
Hastings (WA) OR HIS OR HER DESIGNEE, DEBATABLE FOR
10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1960
OFFERED BY MR. HASTINGS OF WASHINGTON**

At the end of title XXXI, add the following new section:

1 **SEC. 31__.** **MANHATTAN PROJECT NATIONAL HISTORICAL**
2 **PARK.**

3 (a) **PURPOSES.**—The purposes of this section are—

4 (1) to preserve and protect for the benefit of
5 present and future generations the nationally significant
6 historic resources associated with the Manhattan
7 Project and which are under the jurisdiction of
8 the Department of Energy defense environmental
9 cleanup program under this title;

10 (2) to improve public understanding of the
11 Manhattan Project and the legacy of the Manhattan
12 Project through interpretation of the historic resources
13 associated with the Manhattan Project;

14 (3) to enhance public access to the Historical
15 Park consistent with protection of public safety, national
16 security, and other aspects of the mission of
17 the Department of Energy; and

1 (4) to assist the Department of Energy, Histor-
2 ical Park communities, historical societies, and other
3 interested organizations and individuals in efforts to
4 preserve and protect the historically significant re-
5 sources associated with the Manhattan Project.

6 (b) DEFINITIONS.—In this section:

7 (1) HISTORICAL PARK.—The term “Historical
8 Park” means the Manhattan Project National His-
9 torical Park established under subsection (c).

10 (2) MANHATTAN PROJECT.—The term “Man-
11 hattan Project” means the Federal military program
12 to develop an atomic bomb ending on December 31,
13 1946.

14 (3) SECRETARY.—The term “Secretary” means
15 the Secretary of the Interior.

16 (c) ESTABLISHMENT OF MANHATTAN PROJECT NA-
17 TIONAL HISTORICAL PARK.—

18 (1) ESTABLISHMENT.—

19 (A) DATE.—Not later than 1 year after
20 the date of enactment of this section, there
21 shall be established as a unit of the National
22 Park System the Manhattan Project National
23 Historical Park.

24 (B) AREAS INCLUDED.—The Historical
25 Park shall consist of facilities and areas listed

1 under paragraph (2) as determined by the Sec-
2 retary, in consultation with the Secretary of
3 Energy. The Secretary shall include the area
4 referred to in paragraph (2)(C)(i), the B Reac-
5 tor National Historic Landmark, in the Histor-
6 ical Park.

7 (2) ELIGIBLE AREAS.—The Historical Park
8 may only be comprised of one or more of the fol-
9 lowing areas, or portions of the areas, as generally
10 depicted in the map titled “Manhattan Project Na-
11 tional Historical Park Sites”, numbered 540/
12 108,834–C, and dated September 2012:

13 (A) OAK RIDGE, TENNESSEE.—Facilities,
14 land, or interests in land that are—

15 (i) at Buildings 9204–3 and 9731 at
16 the Department of Energy Y–12 National
17 Security Complex;

18 (ii) at the X–10 Graphite Reactor at
19 the Department of Energy Oak Ridge Na-
20 tional Laboratory;

21 (iii) at the K–25 Building site at the
22 Department of Energy East Tennessee
23 Technology Park; and

24 (iv) at the former Guest House lo-
25 cated at 210 East Madison Road.

1 (B) LOS ALAMOS, NEW MEXICO.—Facili-
2 ties, land, or interests in land that are—

3 (i) in the Los Alamos Scientific Lab-
4 oratory National Historic Landmark Dis-
5 trict, or any addition to the Landmark
6 District proposed in the National Historic
7 Landmark Nomination—Los Alamos Sci-
8 entific Laboratory (LASL) NHL District
9 (Working Draft of NHL Revision), Los Al-
10 amos National Laboratory document LA-
11 UR 12-00387 (January 26, 2012);

12 (ii) at the former East Cafeteria lo-
13 cated at 1670 Nectar Street; and

14 (iii) at the former dormitory located
15 at 1725 17th Street.

16 (C) HANFORD, WASHINGTON.—Facilities,
17 land, or interests in land on the Department of
18 Energy Hanford Nuclear Reservation that
19 are—

20 (i) the B Reactor National Historic
21 Landmark;

22 (ii) the Hanford High School in the
23 town of Hanford and Hanford Construc-
24 tion Camp Historic District;

- 1 (iii) the White Bluffs Bank building
2 in the White Bluffs Historic District;
3 (iv) the warehouse at the
4 Bruggemann's Agricultural Complex;
5 (v) the Hanford Irrigation District
6 Pump House; and
7 (vi) the T Plant (221-T Process
8 Building).

9 (3) WRITTEN CONSENT OF OWNER.—No non-
10 Federal property may be included in the Historical
11 Park without the written consent of the owner.

12 (d) AGREEMENT.—

13 (1) IN GENERAL.—Not later than 1 year after
14 the date of enactment of this section, the Secretary
15 and the Secretary of Energy (acting through the
16 Oak Ridge, Los Alamos, and Richland site offices)
17 shall enter into an agreement governing the respec-
18 tive roles of the Secretary and the Secretary of En-
19 ergy in administering the facilities, land, or interests
20 in land under the administrative jurisdiction of the
21 Department of Energy that is to be included in the
22 Historical Park under subsection (c)(2), including
23 provisions for enhanced public access, management,
24 interpretation, and historic preservation.

1 (2) RESPONSIBILITIES OF THE SECRETARY.—

2 Any agreement under paragraph (1) shall provide
3 that the Secretary shall—

4 (A) have decisionmaking authority for the
5 content of historic interpretation of the Man-
6 hattan Project for purposes of administering
7 the Historical Park; and

8 (B) ensure that the agreement provides an
9 appropriate advisory role for the National Park
10 Service in preserving the historic resources cov-
11 ered by the agreement.

12 (3) RESPONSIBILITIES OF THE SECRETARY OF
13 ENERGY.—Any agreement under paragraph (1) shall
14 provide that the Secretary of Energy—

15 (A) shall ensure that the agreement appro-
16 priately protects public safety, national security,
17 and other aspects of the ongoing mission of the
18 Department of Energy at the Oak Ridge Res-
19 ervation, Los Alamos National Laboratory, and
20 Hanford Site;

21 (B) may consult with and provide histor-
22 ical information to the Secretary concerning the
23 Manhattan Project;

24 (C) shall retain responsibility, in accord-
25 ance with applicable law, for any environmental

1 remediation that may be necessary in or around
2 the facilities, land, or interests in land governed
3 by the agreement; and

4 (D) shall retain authority and legal obliga-
5 tions for historic preservation and general
6 maintenance, including to ensure safe access, in
7 connection with the Department's Manhattan
8 Project resources.

9 (4) AMENDMENTS.—The agreement under
10 paragraph (1) may be amended, including to add to
11 the Historical Park facilities, land, or interests in
12 land within the eligible areas described in subsection
13 (c)(2) that are under the jurisdiction of the Sec-
14 retary of Energy.

15 (e) PUBLIC PARTICIPATION.—

16 (1) IN GENERAL.—The Secretary shall consult
17 with interested State, county, and local officials, or-
18 ganizations, and interested members of the public—

19 (A) before executing any agreement under
20 subsection (d); and

21 (B) in the development of the general man-
22 agement plan under subsection (f)(2).

23 (2) NOTICE OF DETERMINATION.—Not later
24 than 30 days after the date on which an agreement
25 under subsection (d) is entered into, the Secretary

1 shall publish in the Federal Register notice of the
2 establishment of the Historical Park, including an
3 official boundary map.

4 (3) AVAILABILITY OF MAP.—The official bound-
5 ary map published under paragraph (2) shall be on
6 file and available for public inspection in the appro-
7 priate offices of the National Park Service. The map
8 shall be updated to reflect any additions to the His-
9 torical Park from eligible areas described in sub-
10 section (c)(2).

11 (4) ADDITIONS.—Any land, interest in land, or
12 facility within the eligible areas described in sub-
13 section (c)(2) that is acquired by the Secretary or
14 included in an amendment to the agreement under
15 subsection (d)(4) shall be added to the Historical
16 Park.

17 (f) ADMINISTRATION.—

18 (1) IN GENERAL.—The Secretary shall admin-
19 ister the Historical Park in accordance with—

20 (A) this section; and

21 (B) the laws generally applicable to units
22 of the National Park System, including—

23 (i) the National Park System Organic
24 Act (16 U.S.C. 1 et seq.); and

1 (ii) the Act of August 21, 1935 (16
2 U.S.C. 461 et seq.).

3 (2) GENERAL MANAGEMENT PLAN.—Not later
4 than 3 years after the date on which funds are made
5 available to carry out this subsection, the Secretary,
6 with the concurrence of the Secretary of Energy,
7 and in consultation and collaboration with the Oak
8 Ridge, Los Alamos and Richland Department of En-
9 ergy site offices, shall complete a general manage-
10 ment plan for the Historical Park in accordance
11 with section 12(b) of Public Law 91–383 (commonly
12 known as the National Park Service General Au-
13 thorities Act; 16 U.S.C. 1a–7(b)).

14 (3) INTERPRETIVE TOURS.—The Secretary
15 may, subject to applicable law, provide interpretive
16 tours of historically significant Manhattan Project
17 sites and resources in the States of Tennessee, New
18 Mexico, and Washington that are located outside the
19 boundary of the Historical Park.

20 (4) LAND ACQUISITION.—

21 (A) IN GENERAL.—The Secretary may ac-
22 quire land and interests in land within the eligi-
23 ble areas described in subsection (c)(2) by—

24 (i) transfer of administrative jurisdic-
25 tion from the Department of Energy by

1 agreement between the Secretary and the
2 Secretary of Energy;

3 (ii) donation; or

4 (iii) exchange.

5 (B) NO USE OF CONDEMNATION.—The
6 Secretary may not acquire by condemnation any
7 land or interest in land under this section or for
8 the purposes of this section.

9 (5) DONATIONS; COOPERATIVE AGREEMENTS.—

10 (A) FEDERAL FACILITIES.—

11 (i) IN GENERAL.—The Secretary may
12 enter into one or more agreements with the
13 head of a Federal agency to provide public
14 access to, and management, interpretation,
15 and historic preservation of, historically
16 significant Manhattan Project resources
17 under the jurisdiction or control of the
18 Federal agency.

19 (ii) DONATIONS; COOPERATIVE
20 AGREEMENTS.—The Secretary may accept
21 donations from, and enter into cooperative
22 agreements with, State governments, units
23 of local government, tribal governments,
24 organizations, or individuals to further the
25 purpose of an interagency agreement en-

1 tered into under clause (i) or to provide
2 visitor services and administrative facilities
3 within reasonable proximity to the Histor-
4 ical Park.

5 (B) TECHNICAL ASSISTANCE.—The Sec-
6 retary may provide technical assistance to
7 State, local, or tribal governments, organiza-
8 tions, or individuals for the management, inter-
9 pretation, and historic preservation of histori-
10 cally significant Manhattan Project resources
11 not included within the Historical Park.

12 (C) DONATIONS TO DEPARTMENT OF EN-
13 ERGY.—For the purposes of this section, or for
14 the purpose of preserving and providing access
15 to historically significant Manhattan Project re-
16 sources, the Secretary of Energy may accept,
17 hold, administer, and use gifts, bequests, and
18 devises (including labor and services).

19 (g) CLARIFICATION.—

20 (1) NO BUFFER ZONE CREATED.—Nothing in
21 this section, the establishment of the Historical
22 Park, or the management plan for the Historical
23 Park shall be construed to create buffer zones out-
24 side of the Historical Park. That an activity can be
25 seen and heard from within the Historical Park shall

1 not preclude the conduct of that activity or use out-
2 side the Historical Park.

3 (2) NO CAUSE OF ACTION.—Nothing in this
4 section shall constitute a cause of action with re-
5 spect to activities outside or adjacent to the estab-
6 lished boundary of the Historical Park.



164. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
Young, Don (AK) OR HIS OR HER DESIGNEE, DEBATABLE
FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1960
OFFERED BY MR. YOUNG OF ALASKA**

At the end of title XXXV, add the following new
section:

1 **SEC. 35__.** **TREATMENT OF FUNDS FOR INTERMODAL**
2 **TRANSPORTATION MARITIME FACILITY,**
3 **PORT OF ANCHORAGE, ALASKA.**

4 Section 10205 of Public Law 109-59 (119 Stat.
5 1934) is amended by striking “shall” and inserting
6 “may”.



165. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
Young, Don (AK) OR HIS OR HER DESIGNEE, DEBATABLE
FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1960**

OFFERED BY MR. YOUNG OF ALASKA

**(for himself and Ms. Hahn of California, Mr. Enyart of
Illinois, and Mr. Weber of Texas**

At the end of title XXXV (page 730, after line 19)
add the following:

1 **SEC. 350_. STRATEGIC SEAPORTS.**

2 (a) PRIORITY.—

3 (1) IN GENERAL.—Under the port infrastruc-
4 ture development program established under section
5 50302(c) of title 46, United States Code, the Mari-
6 time Administrator, in consultation with the Sec-
7 retary of Defense, may give priority to providing
8 funding to strategic seaports in support of national
9 security requirements.

10 (2) STRATEGIC SEAPORT DEFINED.—In this
11 subsection the term “strategic seaport” means a
12 military port or and commercial port that is subject
13 to a port planning order or Basic Ordering Agree-
14 ment (or both) that is projected to be used for the
15 deployment of forces and shipment of ammunition or

1 sustainment supplies in support of military oper-
2 ations.

3 (b) FINANCIAL ASSISTANCE.—Section
4 50302(c)(2)(D) of title 46, United States Code, is amend-
5 ed by inserting “and financial assistance, including
6 grants,” after “technical assistance”.



166. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
Issa (CA) OR HIS OR HER DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1960
OFFERED BY MR. ISSA OF CALIFORNIA AND MR.
CONNOLLY OF VIRGINIA**

At the end of the bill, add the following new division:

**1 DIVISION E—FEDERAL INFOR-
2 MATION TECHNOLOGY AC-
3 QUISSION REFORM ACT**

4 SEC. 5001. SHORT TITLE.

5 This division may be cited as the “Federal Informa-
6 tion Technology Acquisition Reform Act”.

7 SEC. 5002. TABLE OF CONTENTS.

8 The table of contents for this division is as follows:

Sec. 5001. Short title.
Sec. 5002. Table of contents.
Sec. 5003. Definitions.

**TITLE LI—MANAGEMENT OF INFORMATION TECHNOLOGY
WITHIN FEDERAL GOVERNMENT**

Sec. 5101. Increased authority of agency Chief Information Officers over infor-
mation technology.
Sec. 5102. Lead coordination role of Chief Information Officers Council.
Sec. 5103. Reports by Government Accountability Office.

TITLE LII—DATA CENTER OPTIMIZATION

Sec. 5201. Purpose.
Sec. 5202. Definitions.
Sec. 5203. Federal data center optimization initiative.
Sec. 5204. Performance requirements related to data center consolidation.
Sec. 5205. Cost savings related to data center optimization.
Sec. 5206. Reporting requirements to Congress and the Federal Chief Informa-
tion Officer.

TITLE LIII—ELIMINATION OF DUPLICATION AND WASTE IN
INFORMATION TECHNOLOGY ACQUISITION

- Sec. 5301. Inventory of information technology assets.
Sec. 5302. Website consolidation and transparency.
Sec. 5303. Transition to the cloud.
Sec. 5304. Elimination of unnecessary duplication of contracts by requiring business case analysis.

TITLE LIV—STRENGTHENING AND STREAMLINING INFORMATION
TECHNOLOGY ACQUISITION MANAGEMENT PRACTICESSubtitle A—Strengthening and Streamlining IT Program Management
Practices

- Sec. 5401. Establishment of Federal infrastructure and common application collaboration center.
Sec. 5402. Designation of Assisted Acquisition Centers of Excellence.

Subtitle B—Strengthening IT Acquisition Workforce

- Sec. 5411. Expansion of training and use of information technology acquisition cadres.
Sec. 5412. Plan on strengthening program and project management performance.
Sec. 5413. Personnel awards for excellence in the acquisition of information systems and information technology.

TITLE LV—ADDITIONAL REFORMS

- Sec. 5501. Maximizing the benefit of the Federal Strategic Sourcing Initiative.
Sec. 5502. Promoting transparency of blanket purchase agreements.
Sec. 5503. Additional source selection technique in solicitations.
Sec. 5504. Enhanced transparency in information technology investments.
Sec. 5505. Enhanced communication between Government and industry.
Sec. 5506. Clarification of current law with respect to technology neutrality in acquisition of software.

1 **SEC. 5003. DEFINITIONS.**

2 In this division:

3 (1) **CHIEF ACQUISITION OFFICERS COUNCIL.**—

4 The term “Chief Acquisition Officers Council”
5 means the Chief Acquisition Officers Council estab-
6 lished by section 1311(a) of title 41, United States
7 Code.

8 (2) **CHIEF INFORMATION OFFICER.**—The term
9 “Chief Information Officer” means a Chief Informa-

1 tion Officer (as designated under section 3506(a)(2)
2 of title 44, United States Code) of an agency listed
3 in section 901(b) of title 31, United States Code.

4 (3) CHIEF INFORMATION OFFICERS COUNCIL.—
5 The term “Chief Information Officers Council” or
6 “CIO Council” means the Chief Information Officers
7 Council established by section 3603(a) of title 44,
8 United States Code.

9 (4) DIRECTOR.—The term “Director” means
10 the Director of the Office of Management and Budg-
11 et.

12 (5) FEDERAL AGENCY.—The term “Federal
13 agency” means each agency listed in section 901(b)
14 of title 31, United States Code.

15 (6) FEDERAL CHIEF INFORMATION OFFICER.—
16 The term “Federal Chief Information Officer”
17 means the Administrator of the Office of Electronic
18 Government established under section 3602 of title
19 44, United States Code.

20 (7) INFORMATION TECHNOLOGY OR IT.—The
21 term “information technology” or “IT” has the
22 meaning provided in section 11101(6) of title 40,
23 United States Code.

(8) RELEVANT CONGRESSIONAL COMMITTEES.—The term “relevant congressional committees” means each of the following:

(A) The Committee on Oversight and Government Reform and the Committee on Armed Services of the House of Representatives.

(B) The Committee on Homeland Security and Governmental Affairs and the Committee on Armed Services of the Senate.

TITLE LI—MANAGEMENT OF INFORMATION TECHNOLOGY WITHIN FEDERAL GOVERNMENT

SEC. 5101. INCREASED AUTHORITY OF AGENCY CHIEF INFORMATION OFFICERS OVER INFORMATION TECHNOLOGY.

(a) PRESIDENTIAL APPOINTMENT OF CIOs OF CERTAIN AGENCIES.—

(1) IN GENERAL.—Section 11315 of title 40, United States Code, is amended—

(A) by redesignating subsection (a) as subsection (e) and moving such subsection to the end of the section; and

(B) by inserting before subsection (b) the following new subsection (a):

1 “(a) PRESIDENTIAL APPOINTMENT OR DESIGNATION
2 OF CERTAIN CHIEF INFORMATION OFFICERS.—

3 “(1) IN GENERAL.—There shall be within each
4 agency listed in section 901(b)(1) of title 31, other
5 than the Department of Defense, an agency Chief
6 Information Officer. Each agency Chief Information
7 Officer shall—

8 “(A)(i) be appointed by the President; or

9 “(ii) be designated by the President, in
10 consultation with the head of the agency; and

11 “(B) be appointed or designated, as appli-
12 cable, from among individuals who possess dem-
13 onstrated ability in general management of, and
14 knowledge of and extensive practical experience
15 in, information technology management prac-
16 tices in large governmental or business entities.

17 “(2) RESPONSIBILITIES.—An agency Chief In-
18 formation Officer appointed or designated under this
19 section shall report directly to the head of the agen-
20 cy and carry out, on a full-time basis, responsibilities
21 as set forth in this section and in section 3506(a)
22 of title 44 for Chief Information Officers designated
23 under paragraph (2) of such section.”.

24 “(2) CONFORMING AMENDMENT.—Section
25 3506(a)(2)(A) of title 44, United States Code, is

1 amended by inserting after “each agency” the fol-
2 lowing: “, other than an agency with a Presidentially
3 appointed or designated Chief Information Officer as
4 provided in section 11315(a)(1) of title 40,”.

5 (b) AUTHORITY RELATING TO BUDGET AND PER-
6 SONNEL.—Section 11315 of title 40, United States Code,
7 is further amended by inserting after subsection (c) the
8 following new subsection:

9 “(d) ADDITIONAL AUTHORITIES FOR CERTAIN
10 CIOs.—

11 “(1) BUDGET-RELATED AUTHORITY.—

12 “(A) PLANNING.—The head of each agen-
13 cy listed in section 901(b)(1) or 901(b)(2) of
14 title 31, other than the Department of Defense,
15 shall ensure that the Chief Information Officer
16 of the agency has the authority to participate in
17 decisions regarding the budget planning process
18 related to information technology or programs
19 that include significant information technology
20 components.

21 “(B) ALLOCATION.—Amounts appro-
22 priated for any agency listed in section
23 901(b)(1) or 901(b)(2) of title 31, other than
24 the Department of Defense, for any fiscal year
25 that are available for information technology

1 shall be allocated within the agency, consistent
2 with the provisions of appropriations Acts and
3 budget guidelines and recommendations from
4 the Director of the Office of Management and
5 Budget, in such manner as may be specified by,
6 or approved by, the Chief Information Officer
7 of the agency in consultation with the Chief Fi-
8 nancial Officer of the agency and budget offi-
9 cials.

10 “(2) PERSONNEL-RELATED AUTHORITY.—The
11 head of each agency listed in section 901(b)(1) or
12 901(b)(2) of title 31, other than the Department of
13 Defense, shall ensure that the Chief Information Of-
14 ficer of the agency has the authority necessary to
15 approve the hiring of personnel who will have infor-
16 mation technology responsibilities within the agency
17 and to require that such personnel have the obliga-
18 tion to report to the Chief Information Officer in a
19 manner considered sufficient by the Chief Informa-
20 tion Officer.”.

21 (c) SINGLE CHIEF INFORMATION OFFICER IN EACH
22 AGENCY.—

23 (1) REQUIREMENT.—Section 3506(a)(3) of title
24 44, United States Code, is amended—

25 (A) by inserting “(A)” after “(3)”; and

1 (B) by adding at the end the following new
2 subparagraph:

3 “(B) Each agency shall have only one indi-
4 vidual with the title and designation of ‘Chief
5 Information Officer’. Any bureau, office, or sub-
6 ordinate organization within the agency may
7 designate one individual with the title ‘Deputy
8 Chief Information Officer’, ‘Associate Chief In-
9 formation Officer’, or ‘Assistant Chief Informa-
10 tion Officer’.”.

11 (2) EFFECTIVE DATE.—Section 3506(a)(3)(B)
12 of title 44, United States Code, as added by para-
13 graph (1), shall take effect as of October 1, 2014.
14 Any individual serving in a position affected by such
15 section before such date may continue in that posi-
16 tion if the requirements of such section are fulfilled
17 with respect to that individual.

18 **SEC. 5102. LEAD COORDINATION ROLE OF CHIEF INFORMA-**
19 **TION OFFICERS COUNCIL.**

20 (a) LEAD COORDINATION ROLE.—Subsection (d) of
21 section 3603 of title 44, United States Code, is amended
22 to read as follows:

23 “(d) LEAD INTERAGENCY FORUM.—

24 “(1) IN GENERAL.—The Council is designated
25 the lead interagency forum for improving agency co-

1 ordination of practices related to the design, develop-
2 ment, modernization, use, operation, sharing, per-
3 formance, and review of Federal Government infor-
4 mation resources investment. As the lead inter-
5 agency forum, the Council shall develop cross-agency
6 portfolio management practices to allow and encour-
7 age the development of cross-agency shared services
8 and shared platforms. The Council shall also issue
9 guidelines and practices for infrastructure and com-
10 mon information technology applications, including
11 expansion of the Federal Enterprise Architecture
12 process if appropriate. The guidelines and practices
13 may address broader transparency, common inputs,
14 common outputs, and outcomes achieved. The guide-
15 lines and practices shall be used as a basis for com-
16 paring performance across diverse missions and op-
17 erations in various agencies.

18 “(2) REPORT.—Not later than December 1 in
19 each of the 6 years following the date of the enact-
20 ment of this paragraph, the Council shall submit to
21 the relevant congressional committees a report (to be
22 known as the ‘CIO Council Report’) summarizing
23 the Council’s activities in the preceding fiscal year
24 and containing such recommendations for further

1 congressional action to fulfill its mission as the
2 Council considers appropriate.

3 “(3) RELEVANT CONGRESSIONAL COMMIT-
4 TEES.—For purposes of the report required by para-
5 graph (2), the relevant congressional committees are
6 each of the following:

7 “(A) The Committee on Oversight and
8 Government Reform and the Committee on
9 Armed Services of the House of Representa-
10 tives.

11 “(B) The Committee on Homeland Secu-
12 rity and Governmental Affairs and the Com-
13 mittee on Armed Services of the Senate.”.

14 (b) ADDITIONAL FUNCTION.—Subsection (f) of sec-
15 tion 3603 of such title is amended by adding at the end
16 the following new paragraph:

17 “(8) Assist the Administrator in developing and
18 providing guidance for effective operations of the
19 Federal Infrastructure and Common Application
20 Collaboration Center established under section
21 11501 of title 40.”.

22 (c) REFERENCES TO ADMINISTRATOR OF E-GOVERN-
23 MENT AS FEDERAL CHIEF INFORMATION OFFICER.—

24 (1) REFERENCES.—Section 3602(b) of title 44,
25 United States Code, is amended by adding at the

1 end the following: “The Administrator may also be
2 referred to as the Federal Chief Information Offi-
3 cer.”.

4 (2) DEFINITION.—Section 3601(1) of such title
5 is amended by inserting “or ‘Federal Chief Informa-
6 tion Officer’ ” before “means”.

7 **SEC. 5103. REPORTS BY GOVERNMENT ACCOUNTABILITY**
8 **OFFICE.**

9 (a) REQUIREMENT TO EXAMINE EFFECTIVENESS.—
10 The Comptroller General of the United States shall exam-
11 ine the effectiveness of the Chief Information Officers
12 Council in meeting its responsibilities under section
13 3603(d) of title 44, United States Code, as added by sec-
14 tion 5102, with particular focus on—

15 (1) whether agencies are actively participating
16 in the Council and heeding the Council’s advice and
17 guidance; and

18 (2) whether the Council is actively using and
19 developing the capabilities of the Federal Infrastruc-
20 ture and Common Application Collaboration Center
21 created under section 11501 of title 40, United
22 States Code, as added by section 5401.

23 (b) REPORTS.—Not later than 1 year, 3 years, and
24 5 years after the date of the enactment of this Act, the
25 Comptroller General shall submit to the relevant congres-

1 sional committees a report containing the findings and
2 recommendations of the Comptroller General from the ex-
3 amination required by subsection (a).

4 **TITLE LII—DATA CENTER** 5 **OPTIMIZATION**

6 **SEC. 5201. PURPOSE.**

7 The purpose of this title is to optimize Federal data
8 center usage and efficiency.

9 **SEC. 5202. DEFINITIONS.**

10 In this title:

11 (1) **FEDERAL DATA CENTER OPTIMIZATION INITIATIVE.**—The term “Federal Data Center Optimi-
12 zation Initiative” or the “Initiative” means the ini-
13 tiative developed and implemented by the Director,
14 through the Federal Chief Information Officer, as
15 required under section 5203.

17 (2) **COVERED AGENCY.**—The term “covered
18 agency” means any agency included in the Federal
19 Data Center Optimization Initiative.

20 (3) **DATA CENTER.**—The term “data center”
21 means a closet, room, floor, or building for the stor-
22 age, management, and dissemination of data and in-
23 formation, as defined by the Federal Chief Informa-
24 tion Officer under guidance issued pursuant to this
25 section.

1 (4) FEDERAL DATA CENTER.—The term “Fed-
2 eral data center” means any data center of a cov-
3 ered agency used or operated by a covered agency,
4 by a contractor of a covered agency, or by another
5 organization on behalf of a covered agency.

6 (5) SERVER UTILIZATION.—The term “server
7 utilization” refers to the activity level of a server rel-
8 ative to its maximum activity level, expressed as a
9 percentage.

10 (6) POWER USAGE EFFECTIVENESS.—The term
11 “power usage effectiveness” means the ratio ob-
12 tained by dividing the total amount of electricity and
13 other power consumed in running a data center by
14 the power consumed by the information and commu-
15 nications technology in the data center.

16 **SEC. 5203. FEDERAL DATA CENTER OPTIMIZATION INITIA-**
17 **TIVE.**

18 (a) REQUIREMENT FOR INITIATIVE.—The Federal
19 Chief Information Officer, in consultation with the chief
20 information officers of covered agencies, shall develop and
21 implement an initiative, to be known as the Federal Data
22 Center Optimization Initiative, to optimize the usage and
23 efficiency of Federal data centers by meeting the require-
24 ments of this division and taking additional measures, as
25 appropriate.

1 (b) REQUIREMENT FOR PLAN.—Within 6 months
2 after the date of the enactment of this Act, the Federal
3 Chief Information Officer, in consultation with the chief
4 information officers of covered agencies, shall develop and
5 submit to Congress a plan for implementation of the Ini-
6 tiative required by subsection (a) by each covered agency.
7 In developing the plan, the Federal Chief Information Of-
8 ficer shall take into account the findings and recommenda-
9 tions of the Comptroller General review required by sec-
10 tion 5205(e).

11 (c) MATTERS COVERED.—The plan shall include—

12 (1) descriptions of how covered agencies will
13 use reductions in floor space, energy use, infrastruc-
14 ture, equipment, applications, personnel, increases in
15 multiorganizational use, server virtualization, cloud
16 computing, and other appropriate methods to meet
17 the requirements of the initiative; and

18 (2) appropriate consideration of shifting Feder-
19 ally owned data centers to commercially owned data
20 centers.

21 **SEC. 5204. PERFORMANCE REQUIREMENTS RELATED TO**
22 **DATA CENTER CONSOLIDATION.**

23 (a) SERVER UTILIZATION.—Each covered agency
24 may use the following methods to achieve the maximum

1 server utilization possible as determined by the Federal
2 Chief Information Officer.

3 (1) The closing of existing data centers that
4 lack adequate server utilization, as determined by
5 the Federal Chief Information Officer. If the agency
6 fails to close such data centers, the agency shall pro-
7 vide a detailed explanation as to why this data cen-
8 ter should remain in use as part of the submitted
9 plan. The Federal Chief Information Officer shall in-
10 clude an assessment of the agency explanation in the
11 annual report to Congress.

12 (2) The consolidation of services within existing
13 data centers to increase server utilization rates.

14 (3) Any other method that the Federal Chief
15 Information Officer, in consultation with the chief
16 information officers of covered agencies, determines
17 necessary to optimize server utilization.

18 (b) POWER USAGE EFFECTIVENESS.—Each covered
19 agency may use the following methods to achieve the max-
20 imum energy efficiency possible as determined by the Fed-
21 eral Chief Information Officer:

22 (1) The use of the measurement of power usage
23 effectiveness to calculate data center energy effi-
24 ciency.

1 (2) The use of power meters in data centers to
2 frequently measure power consumption over time.

3 (3) The establishment of power usage effective-
4 ness goals for each data center.

5 (4) The adoption of best practices for man-
6 aging—

7 (A) temperature and airflow in data cen-
8 ters; and

9 (B) power supply efficiency.

10 (5) The implementation of any other method
11 that the Federal Chief Information Officer, in con-
12 sultation with the Chief Information Officers of cov-
13 ered agencies, determines necessary to optimize data
14 center energy efficiency.

15 **SEC. 5205. COST SAVINGS RELATED TO DATA CENTER OPTI-**
16 **MIZATION.**

17 (a) **REQUIREMENT TO TRACK COSTS.—**

18 (1) **IN GENERAL.—**Each covered agency shall
19 track costs resulting from implementation of the
20 Federal Data Center Optimization Initiative within
21 the agency and submit a report on those costs annu-
22 ally to the Federal Chief Information Officer. Cov-
23 ered agencies shall determine the net costs from
24 data consolidation on an annual basis.

1 (2) FACTORS.—In calculating net costs each
2 year under paragraph (1), a covered agency shall
3 use the following factors:

4 (A) Energy costs.

5 (B) Personnel costs.

6 (C) Real estate costs.

7 (D) Capital expense costs.

8 (E) Maintenance and support costs such as
9 operating subsystem, database, hardware, and
10 software license expense costs.

11 (F) Other appropriate costs, as determined
12 by the agency in consultation with the Federal
13 Chief Information Officer.

14 (b) REQUIREMENT TO TRACK SAVINGS.—

15 (1) IN GENERAL.—Each covered agency shall
16 track savings resulting from implementation of the
17 Federal Data Center Optimization Initiative within
18 the agency and submit a report on those savings an-
19 nually to the Federal Chief Information Officer.
20 Covered agencies shall determine the net savings
21 from data consolidation on an annual basis.

22 (2) FACTORS.—In calculating net savings each
23 year under paragraph (1), a covered agency shall
24 use the following factors:

25 (A) Energy savings.

1 (B) Personnel savings.

2 (C) Real estate savings.

3 (D) Capital expense savings.

4 (E) Maintenance and support savings such
5 as operating subsystem, database, hardware,
6 and software license expense savings.

7 (F) Other appropriate savings, as deter-
8 mined by the agency in consultation with the
9 Federal Chief Information Officer.

10 (c) REQUIREMENT TO USE COST-EFFECTIVE MEAS-
11 URES.—Covered agencies shall use the most cost-effective
12 measures to implement the Federal Data Center Optimi-
13 zation Initiative.

14 (d) USE OF SAVINGS.—Subject to appropriations,
15 any savings resulting from implementation of the Federal
16 Data Center Optimization Initiative within a covered
17 agency shall be used for the following purposes:

18 (1) To offset the costs of implementing the Ini-
19 tiative within the agency.

20 (2) To further enhance information technology
21 capabilities and services within the agency.

22 (e) GOVERNMENT ACCOUNTABILITY OFFICE RE-
23 VIEW.—Not later than 3 months after the date of the en-
24 actment of this Act, the Comptroller General of the United
25 States shall examine methods for calculating savings from

1 the Initiative and using them for the purposes identified
2 in subsection (d), including establishment and use of a
3 special revolving fund that supports data centers and serv-
4 er optimization, and shall submit to the Federal Chief In-
5 formation Officer and Congress a report on the Comp-
6 troller General's findings and recommendations.

7 **SEC. 5206. REPORTING REQUIREMENTS TO CONGRESS AND**
8 **THE FEDERAL CHIEF INFORMATION OFFI-**
9 **CER.**

10 (a) AGENCY REQUIREMENT TO REPORT TO CIO.—
11 Each year, each covered agency shall submit to the Fed-
12 eral Chief Information Officer a report on the implementa-
13 tion of the Federal Data Center Optimization Initiative,
14 including savings resulting from such implementation. The
15 report shall include an update of the agency's plan for im-
16 plementing the Initiative.

17 (b) FEDERAL CHIEF INFORMATION OFFICER RE-
18 QUIREMENT TO REPORT TO CONGRESS.—Each year, the
19 Federal Chief Information Officer shall submit to the rel-
20 evant congressional committees a report that assesses
21 agency progress in carrying out the Federal Data Center
22 Optimization Initiative and updates the plan under section
23 5203. The report may be included as part of the annual
24 report required under section 3606 of title 44, United
25 States Code.

1 **TITLE LIII—ELIMINATION OF**
2 **DUPLICATION AND WASTE IN**
3 **INFORMATION TECHNOLOGY**
4 **ACQUISITION**

5 **SEC. 5301. INVENTORY OF INFORMATION TECHNOLOGY AS-**
6 **SETS.**

7 (a) **PLAN.**—The Director shall develop a plan for con-
8 ducting a Governmentwide inventory of information tech-
9 nology assets.

10 (b) **MATTERS COVERED.**—The plan required by sub-
11 section (a) shall cover the following:

12 (1) The manner in which Federal agencies can
13 achieve the greatest possible economies of scale and
14 cost savings in the procurement of information tech-
15 nology assets, through measures such as reducing
16 hardware or software products or services that are
17 duplicative or overlapping and reducing the procure-
18 ment of new software licenses until such time as
19 agency needs exceed the number of existing and un-
20 used licenses.

21 (2) The capability to conduct ongoing Govern-
22 mentwide inventories of all existing software licenses
23 on an application-by-application basis, including du-
24 plicative, unused, overused, and underused licenses,

1 and to assess the need of agencies for software li-
2 censes.

3 (3) A Governmentwide spending analysis to
4 provide knowledge about how much is being spent
5 for software products or services to support deci-
6 sions for strategic sourcing under the Federal stra-
7 tegic sourcing program managed by the Office of
8 Federal Procurement Policy.

9 (c) OTHER INVENTORIES.—In developing the plan re-
10 quired by subsection (a), the Director shall review the in-
11 ventory of information systems maintained by each agency
12 under section 3505(c) of title 44, United States Code, and
13 the inventory of information resources maintained by each
14 agency under section 3506(b)(4) of such title.

15 (d) AVAILABILITY.—The inventory of information
16 technology assets shall be available to Chief Information
17 Officers and such other Federal officials as the Chief In-
18 formation Officers may, in consultation with the Chief In-
19 formation Officers Council, designate.

20 (e) DEADLINE AND SUBMISSION TO CONGRESS.—
21 Not later than 180 days after the date of the enactment
22 of this Act, the Director shall complete and submit to Con-
23 gress the plan required by subsection (a).

24 (f) IMPLEMENTATION.—Not later than two years
25 after the date of the enactment of this Act, the Director

1 shall complete implementation of the plan required by sub-
2 section (a).

3 (g) REVIEW BY COMPTROLLER GENERAL.—Not later
4 than two years after the date of the enactment of this Act,
5 the Comptroller General of the United States shall review
6 the plan required by subsection (a) and submit to the rel-
7 evant congressional committees a report on the review.

8 **SEC. 5302. WEBSITE CONSOLIDATION AND TRANSPARENCY.**

9 (a) WEBSITE CONSOLIDATION.—The Director
10 shall—

11 (1) in consultation with Federal agencies, and
12 after reviewing the directory of public Federal Gov-
13 ernment websites of each agency (as required to be
14 established and updated under section 207(f)(3) of
15 the E-Government Act of 2002 (Public Law 107–
16 347; 44 U.S.C. 3501 note)), assess all the publicly
17 available websites of Federal agencies to determine
18 whether there are duplicative or overlapping
19 websites; and

20 (2) require Federal agencies to eliminate or
21 consolidate those websites that are duplicative or
22 overlapping.

23 (b) WEBSITE TRANSPARENCY.—The Director shall
24 issue guidance to Federal agencies to ensure that the data

1 on publicly available websites of the agencies are open and
2 accessible to the public.

3 (c) MATTERS COVERED.—In preparing the guidance
4 required by subsection (b), the Director shall—

5 (1) develop guidelines, standards, and best
6 practices for interoperability and transparency;

7 (2) identify interfaces that provide for shared,
8 open solutions on the publicly available websites of
9 the agencies; and

10 (3) ensure that Federal agency Internet home
11 pages, web-based forms, and web-based applications
12 are accessible to individuals with disabilities in con-
13 formance with section 508 of the Rehabilitation Act
14 of 1973 (29 U.S.C. 794d).

15 (d) DEADLINE FOR GUIDANCE.—The guidance re-
16 quired by subsection (b) shall be issued not later than 180
17 days after the date of the enactment of this Act.

18 **SEC. 5303. TRANSITION TO THE CLOUD.**

19 (a) SENSE OF CONGRESS.—It is the sense of Con-
20 gress that transition to cloud computing offers significant
21 potential benefits for the implementation of Federal infor-
22 mation technology projects in terms of flexibility, cost, and
23 operational benefits.

24 (b) GOVERNMENTWIDE APPLICATION.—In assessing
25 cloud computing opportunities, the Chief Information Of-

1 ficers Council shall define policies and guidelines for the
2 adoption of Governmentwide programs providing for a
3 standardized approach to security assessment and oper-
4 ational authorization for cloud products and services.

5 (c) ADDITIONAL BUDGET AUTHORITIES FOR TRANSI-
6 TION.—In transitioning to the cloud, a Chief Information
7 Officer of an agency listed in section 901(b) of title 31,
8 United States Code, may establish such cloud service
9 Working Capital Funds, in consultation with the Chief Fi-
10 nancial Officer of the agency, as may be necessary to tran-
11 sition to cloud-based solutions. Notwithstanding any other
12 provision of law, such cloud service Working Capital
13 Funds may preserve funding for cloud service transitions
14 for a period not to exceed 5 years per appropriation. Any
15 establishment of a new Working Capital Fund under this
16 subsection shall be reported to the Committees on Appro-
17 priations of the House of Representatives and the Senate
18 and relevant Congressional committees.

19 **SEC. 5304. ELIMINATION OF UNNECESSARY DUPLICATION**
20 **OF CONTRACTS BY REQUIRING BUSINESS**
21 **CASE ANALYSIS.**

22 (a) PURPOSE.—The purpose of this section is to le-
23 verage the Government's buying power and achieve admin-
24 istrative efficiencies and cost savings by eliminating un-
25 necessary duplication of contracts.

1 (b) REQUIREMENT FOR BUSINESS CASE AP-
2 PROVAL.—

3 (1) IN GENERAL.—Effective on and after 180
4 days after the date of the enactment of this Act, an
5 executive agency may not issue a solicitation for a
6 covered contract vehicle unless the agency performs
7 a business case analysis for the contract vehicle and
8 obtains an approval of the business case analysis
9 from the Administrator for Federal Procurement
10 Policy.

11 (2) REVIEW OF BUSINESS CASE ANALYSIS.—

12 (A) IN GENERAL.—With respect to any
13 covered contract vehicle, the Administrator for
14 Federal Procurement Policy shall review the
15 business case analysis submitted for the con-
16 tract vehicle and provide an approval or dis-
17 approval within 60 days after the date of sub-
18 mission. Any business case analysis not dis-
19 approved within such 60-day period is deemed
20 to be approved.

21 (B) BASIS FOR APPROVAL OF BUSINESS
22 CASE.—The Administrator for Federal Procure-
23 ment Policy shall approve or disapprove a busi-
24 ness case analysis based on the adequacy of the
25 analysis submitted. The Administrator shall

1 give primary consideration to whether an agen-
2 cy has demonstrated a compelling need that
3 cannot be satisfied by existing Governmentwide
4 contract vehicles in a timely and cost-effective
5 manner.

6 (3) CONTENT OF BUSINESS CASE ANALYSIS.—

7 The Administrator for Federal Procurement Policy
8 shall issue guidance specifying the content for a
9 business case analysis submitted pursuant to this
10 section. At a minimum, the business case analysis
11 shall include details on the administrative resources
12 needed for such contract vehicle, including an anal-
13 ysis of all direct and indirect costs to the Federal
14 Government of awarding and administering such
15 contract vehicle and the impact such contract vehicle
16 will have on the ability of the Federal Government
17 to leverage its purchasing power.

18 (c) DEFINITIONS.—

19 (1) COVERED CONTRACT VEHICLE.—The term
20 “covered contract vehicle” has the meaning provided
21 by the Administrator for Federal Procurement Pol-
22 icy in guidance issued pursuant to this section and
23 includes, at a minimum, any Governmentwide con-
24 tract vehicle , whether for acquisition of information
25 technology or other goods or services, in an amount

1 greater than \$50,000,000 (or \$10,000,000, deter-
2 mined on an average annual basis, in the case of
3 such a contract vehicle performed over more than
4 one year). The term does not include a multiple
5 award schedule contract awarded by the General
6 Services Administration, a Governmentwide acquisi-
7 tion contract for information technology awarded
8 pursuant to sections 11302(e) and 11314(a)(2) of
9 title 40, United States Code, or orders against exist-
10 ing Governmentwide contract vehicles.

11 (2) GOVERNMENTWIDE CONTRACT VEHICLE
12 AND EXECUTIVE AGENCY.—The terms “Govern-
13 mentwide contract vehicle” and “executive agency”
14 have the meanings provided in section 11501 of title
15 40, United States Code, as added by section 5401.

16 (d) REPORT.—Not later than June 1 in each of the
17 next 6 years following the date of the enactment of this
18 Act, the Administrator for Federal Procurement Policy
19 shall submit to the relevant congressional committees a
20 report on the implementation of this section, including a
21 summary of the submissions, reviews, approvals, and dis-
22 approvals of business case analyses pursuant to this sec-
23 tion.

1 (e) GUIDANCE.—The Administrator for Federal Pro-
2 curement Policy shall issue guidance for implementing this
3 section.

4 (f) REVISION OF FAR.—Not later than 180 days after
5 the date of the enactment of this Act, the Federal Acquisi-
6 tion Regulation shall be amended to implement this sec-
7 tion.

8 **TITLE LIV—STRENGTHENING**
9 **AND STREAMLINING INFOR-**
10 **MATION TECHNOLOGY AC-**
11 **QUISITION MANAGEMENT**
12 **PRACTICES**

13 **Subtitle A—Strengthening and**
14 **Streamlining IT Program Man-**
15 **agement Practices**

16 **SEC. 5401. ESTABLISHMENT OF FEDERAL INFRASTRUC-**
17 **TURE AND COMMON APPLICATION COLLABO-**
18 **RATION CENTER.**

19 (a) ESTABLISHMENT.—

20 (1) IN GENERAL.—Chapter 115 of title 40,
21 United States Code, is amended to read as follows:

22 **“CHAPTER 115—INFORMATION TECH-**
23 **NOLOGY ACQUISITION MANAGEMENT**
24 **PRACTICES**

“Sec.

“11501. Federal infrastructure and common application collaboration center.

1 **“§ 11501. Federal infrastructure and common applica-**
2 **tion collaboration center**

3 “(a) ESTABLISHMENT AND PURPOSES.—The Direc-
4 tor of the Office of Management and Budget shall estab-
5 lish a Federal Infrastructure and Common Application
6 Collaboration Center (hereafter in this section referred to
7 as the ‘Collaboration Center’) within the Office of Elec-
8 tronic Government established under section 3602 of title
9 44 in accordance with this section. The purposes of the
10 Collaboration Center are to serve as a focal point for co-
11 ordinated program management practices and to develop
12 and maintain requirements for the acquisition of IT infra-
13 structure and common applications commonly used by var-
14 ious Federal agencies.

15 “(b) ORGANIZATION OF CENTER.—

16 “(1) MEMBERSHIP.—The Center shall consist
17 of the following members:

18 “(A) An appropriate number, as deter-
19 mined by the CIO Council, but not less than
20 12, full-time program managers or cost special-
21 ists, all of whom have appropriate experience in
22 the private or Government sector in managing
23 or overseeing acquisitions of IT infrastructure
24 and common applications.

25 “(B) At least 1 full-time detailee from
26 each of the Federal agencies listed in section

1 901(b) of title 31, nominated by the respective
2 agency chief information officer for a detail pe-
3 riod of not less than 2 years.

4 “(2) WORKING GROUPS.—The Collaboration
5 Center shall have working groups that specialize in
6 IT infrastructure and common applications identi-
7 fied by the CIO Council. Each working group shall
8 be headed by a separate dedicated program manager
9 appointed by the Federal Chief Information Officer.

10 “(c) CAPABILITIES AND FUNCTIONS OF THE COL-
11 LABORATION CENTER.—For each of the IT infrastructure
12 and common application areas identified by the CIO Coun-
13 cil, the Collaboration Center shall perform the following
14 roles, and any other functions as directed by the Federal
15 Chief Information Officer:

16 “(1) Develop, maintain, and disseminate re-
17 quirements suitable to establish contracts that will
18 meet the common and general needs of various Fed-
19 eral agencies as determined by the Center. In doing
20 so, the Center shall give maximum consideration to
21 the adoption of commercial standards and industry
22 acquisition best practices, including opportunities for
23 shared services, consideration of total cost of owner-
24 ship, preference for industry-neutral functional spec-
25 ifications leveraging open industry standards and

1 competition, and use of long-term contracts, as ap-
2 propriate.

3 “(2) Develop, maintain, and disseminate reli-
4 able cost estimates that are accurate, comprehensive,
5 well-documented, and credible.

6 “(3) Lead the review of significant or troubled
7 IT investments or acquisitions as identified by the
8 CIO Council.

9 “(4) Provide expert aid to troubled IT invest-
10 ments or acquisitions.

11 “(d) GUIDANCE.—The Director, in consultation with
12 the Chief Information Officers Council, shall issue guid-
13 ance addressing the scope and operation of the Collabora-
14 tion Center. The guidance shall require that the Collabora-
15 tion Center report to the Federal Chief Information Offi-
16 cer.

17 “(e) REPORT TO CONGRESS.—

18 “(1) IN GENERAL.—The Director shall annually
19 submit to the relevant congressional committees a
20 report detailing the organization, staff, and activities
21 of the Collaboration Center, including—

22 “(A) a list of IT infrastructure and com-
23 mon applications the Center assisted;

24 “(B) an assessment of the Center’s
25 achievement in promoting efficiency, shared

1 services, and elimination of unnecessary Gov-
2 ernment requirements that are contrary to com-
3 mercial best practices; and

4 “(C) the use and expenditure of amounts
5 in the Fund established under subsection (i).

6 “(2) INCLUSION IN OTHER REPORT.—The re-
7 port may be included as part of the annual E-Gov-
8 ernment status report required under section 3606
9 of title 44.

10 “(f) IMPROVEMENT OF THE GOVERNMENTWIDE
11 SOFTWARE PURCHASING PROGRAM.—

12 “(1) IN GENERAL.—The Collaboration Center,
13 in collaboration with the Office of Federal Procure-
14 ment Policy, the Department of Defense, and the
15 General Services Administration, shall identify and
16 develop a strategic sourcing initiative to enhance
17 Governmentwide acquisition, shared use, and dis-
18 semination of software, as well as compliance with
19 end user license agreements.

20 “(2) EXAMINATION OF METHODS.—In devel-
21 oping the initiative under paragraph (1), the Col-
22 laboration Center shall examine the use of realistic
23 and effective demand aggregation models supported
24 by actual agency commitment to use the models, and
25 supplier relationship management practices, to more

1 effectively govern the Government's acquisition of in-
2 formation technology.

3 “(3) GOVERNMENTWIDE USER LICENSE AGREE-
4 MENT.—The Collaboration Center, in developing the
5 initiative under paragraph (1), shall allow for the
6 purchase of a license agreement that is available for
7 use by all executive agencies as one user to the max-
8 imum extent practicable and as appropriate.

9 “(g) GUIDELINES FOR ACQUISITION OF IT INFRA-
10 STRUCTURE AND COMMON APPLICATIONS.—

11 “(1) GUIDELINES.—The Collaboration Center
12 shall establish guidelines that, to the maximum ex-
13 tent possible, eliminate inconsistent practices among
14 executive agencies and ensure uniformity and con-
15 sistency in acquisition processes for IT infrastruc-
16 ture and common applications across the Federal
17 Government.

18 “(2) CENTRAL WEBSITE.—In preparing the
19 guidelines, the Collaboration Center, in consultation
20 with the Chief Acquisition Officers Council, shall
21 offer executive agencies the option of accessing a
22 central website for best practices, templates, and
23 other relevant information.

24 “(h) PRICING TRANSPARENCY.—The Collaboration
25 Center, in collaboration with the Office of Federal Pro-

1 curement Policy, the Chief Acquisition Officers Council,
2 the General Services Administration, and the Assisted Ac-
3 quisition Centers of Excellence, shall compile a price list
4 and catalogue containing current pricing information by
5 vendor for each of its IT infrastructure and common appli-
6 cations categories. The price catalogue shall contain any
7 price provided by a vendor for the same or similar good
8 or service to any executive agency. The catalogue shall be
9 developed in a fashion ensuring that it may be used for
10 pricing comparisons and pricing analysis using standard
11 data formats. The price catalogue shall not be made pub-
12 lic, but shall be accessible to executive agencies.

13 “(i) FEDERAL IT ACQUISITION MANAGEMENT IM-
14 PROVEMENT FUND.—

15 “(1) ESTABLISHMENT AND MANAGEMENT OF
16 FUND.—There is a Federal IT Acquisition Manage-
17 ment Improvement Fund (in this subsection referred
18 to as the ‘Fund’). The Administrator of General
19 Services shall manage the Fund through the Col-
20 laboration Center to support the activities of the
21 Collaboration Center carried out pursuant to this
22 section. The Administrator of General Services shall
23 consult with the Director in managing the Fund.

1 “(2) CREDITS TO FUND.—Five percent of the
2 fees collected by executive agencies under the fol-
3 lowing contracts shall be credited to the Fund:

4 “(A) Governmentwide task and delivery
5 order contracts entered into under sections
6 4103 and 4105 of title 41.

7 “(B) Governmentwide contracts for the ac-
8 quisition of information technology and multi-
9 agency acquisition contracts for that technology
10 authorized by section 11314 of this title.

11 “(C) Multiple-award schedule contracts en-
12 tered into by the Administrator of General
13 Services.

14 “(3) REMITTANCE BY HEAD OF EXECUTIVE
15 AGENCY.—The head of an executive agency that ad-
16 ministers a contract described in paragraph (2) shall
17 remit to the General Services Administration the
18 amount required to be credited to the Fund with re-
19 spect to the contract at the end of each quarter of
20 the fiscal year.

21 “(4) AMOUNTS NOT TO BE USED FOR OTHER
22 PURPOSES.—The Administrator of General Services,
23 through the Office of Management and Budget, shall
24 ensure that amounts collected under this subsection
25 are not used for a purpose other than the activities

1 of the Collaboration Center carried out pursuant to
2 this section.

3 “(5) AVAILABILITY OF AMOUNTS.—Amounts
4 credited to the Fund remain available to be ex-
5 pended only in the fiscal year for which they are
6 credited and the 4 succeeding fiscal years.

7 “(j) DEFINITIONS.—In this section:

8 “(1) EXECUTIVE AGENCY.—The term ‘executive
9 agency’ has the meaning provided that term by sec-
10 tion 105 of title 5.

11 “(2) FEDERAL CHIEF INFORMATION OFFI-
12 CER.—The term ‘Federal Chief Information Officer’
13 means the Administrator of the Office of Electronic
14 Government established under section 3602 of title
15 44.

16 “(3) GOVERNMENTWIDE CONTRACT VEHICLE.—
17 The term ‘Governmentwide contract vehicle’ means
18 any contract, blanket purchase agreement, or other
19 contractual instrument that allows for an indefinite
20 number of orders to be placed within the contract,
21 agreement, or instrument, and that is established by
22 one executive agency for use by multiple executive
23 agencies to obtain supplies and services.

1 “(4) RELEVANT CONGRESSIONAL COMMIT-
2 TEES.—The term ‘relevant congressional commit-
3 tees’ means each of the following:

4 “(A) The Committee on Oversight and
5 Government Reform and the Committee on
6 Armed Services of the House of Representa-
7 tives.

8 “(B) The Committee on Homeland Secu-
9 rity and Governmental Affairs and the Com-
10 mittee on Armed Services of the Senate.

11 “(k) REVISION OF FAR.—The Federal Acquisition
12 Regulation shall be amended to implement this section.”.

13 (2) CLERICAL AMENDMENT.—The item relating
14 to chapter 115 in the table of chapters at the begin-
15 ning of subtitle III of title 40, United States Code,
16 is amended to read as follows:

**“115. Information Technology Acquisition Management
 Practices11501”.**

17 (b) DEADLINES.—

18 (1) Not later than 180 days after the date of
19 the enactment of this Act, the Director shall issue
20 guidance under section 11501(d) of title 40, United
21 States Code, as added by subsection (a).

22 (2) Not later than 1 year after the date of the
23 enactment of this Act, the Director shall establish
24 the Federal Infrastructure and Common Application

1 Collaboration Center, in accordance with section
2 11501(a) of such title, as so added.

3 (3) Not later than 2 years after the date of the
4 enactment of this Act, the Federal Infrastructure
5 and Common Application Collaboration Center
6 shall—

7 (A) identify and develop a strategic
8 sourcing initiative in accordance with section
9 11501(f) of such title, as so added; and

10 (B) establish guidelines in accordance with
11 section 11501(g) of such title, as so added.

12 (c) CONFORMING AMENDMENT.—Section 3602(c) of
13 title 44, United States Code, is amended—

14 (1) by striking “and” at the end of paragraph
15 (2);

16 (2) by redesignating paragraph (3) as para-
17 graph (4); and

18 (3) by inserting after paragraph (2) the fol-
19 lowing new paragraph (3):

20 “(3) all of the functions of the Federal Infra-
21 structure and Common Application Collaboration
22 Center, as required under section 11501 of title 40;
23 and”.

1 **SEC. 5402. DESIGNATION OF ASSISTED ACQUISITION CEN-**
2 **TERS OF EXCELLENCE.**

3 (a) DESIGNATION.—Chapter 115 of title 40, United
4 States Code, as amended by section 5401, is further
5 amended by adding at the end the following new section:

6 **“§ 11502. Assisted Acquisition Centers of Excellence**

7 “(a) PURPOSE.—The purpose of this section is to de-
8 velop specialized assisted acquisition centers of excellence
9 within the Federal Government to promote—

10 “(1) the effective use of best acquisition prac-
11 tices;

12 “(2) the development of specialized expertise in
13 the acquisition of information technology; and

14 “(3) Governmentwide sharing of acquisition ca-
15 pability to augment any shortage in the information
16 technology acquisition workforce.

17 “(b) DESIGNATION OF AACES.—Not later than 1
18 year after the date of the enactment of this section, and
19 every 3 years thereafter, the Director of the Office of Man-
20 agement and Budget, in consultation with the Chief Ac-
21 quisition Officers Council and the Chief Information Offi-
22 cers Council, shall designate, redesignate, or withdraw the
23 designation of acquisition centers of excellence within var-
24 ious executive agencies to carry out the functions set forth
25 in subsection (c) in an area of specialized acquisition ex-
26 pertise as determined by the Director. Each such center

1 of excellence shall be known as an ‘Assisted Acquisition
2 Center of Excellence’ or an ‘AACE’.

3 “(c) FUNCTIONS.—The functions of each AACE are
4 as follows:

5 “(1) BEST PRACTICES.—To promote, develop,
6 and implement the use of best acquisition practices
7 in the area of specialized acquisition expertise that
8 the AACE is designated to carry out by the Director
9 under subsection (b).

10 “(2) ASSISTED ACQUISITIONS.—To assist all
11 Government agencies in the expedient and low-cost
12 acquisition of the information technology goods or
13 services covered by such area of specialized acqui-
14 sition expertise by engaging in repeated and frequent
15 acquisition of similar information technology require-
16 ments.

17 “(3) DEVELOPMENT AND TRAINING OF IT AC-
18QUISITION WORKFORCE.—To assist in recruiting and
19 training IT acquisition cadres (referred to in section
20 1704(j) of title 41).

21 “(d) CRITERIA.—In designating, redesignating, or
22 withdrawing the designation of an AACE, the Director
23 shall consider, at a minimum, the following matters:

1 “(1) The subject matter expertise of the host
2 agency in a specific area of information technology
3 acquisition.

4 “(2) For acquisitions of IT infrastructure and
5 common applications covered by the Federal Infra-
6 structure and Common Application Collaboration
7 Center established under section 11501 of this title,
8 the ability and willingness to collaborate with the
9 Collaboration Center and adhere to the requirements
10 standards established by the Collaboration Center.

11 “(3) The ability of an AACE to develop cus-
12 tomized requirements documents that meet the
13 needs of executive agencies as well as the current in-
14 dustry standards and commercial best practices.

15 “(4) The ability of an AACE to consistently
16 award and manage various contracts, task or deliv-
17 ery orders, and other acquisition arrangements in a
18 timely, cost-effective, and compliant manner.

19 “(5) The ability of an AACE to aggregate de-
20 mands from multiple executive agencies for similar
21 information technology goods or services and fulfill
22 those demands in one acquisition.

23 “(6) The ability of an AACE to acquire innova-
24 tive or emerging commercial and noncommercial
25 technologies using various contracting methods, in-

1 including ways to lower the entry barriers for small
2 businesses with limited Government contracting ex-
3 periences.

4 “(7) The ability of an AACE to maximize com-
5 mercial item acquisition, effectively manage high-risk
6 contract types, increase competition, promote small
7 business participation, and maximize use of available
8 Governmentwide contract vehicles:

9 “(8) The existence of an in-house cost esti-
10 mating group with expertise to consistently develop
11 reliable cost estimates that are accurate, comprehen-
12 sive, well-documented, and credible.

13 “(9) The ability of an AACE to employ best
14 practices and educate requesting agencies, to the
15 maximum extent practicable, regarding critical fac-
16 tors underlying successful major IT acquisitions, in-
17 cluding the following factors:

18 “(A) Active engagement by program offi-
19 cials with stakeholders.

20 “(B) Possession by program staff of the
21 necessary knowledge and skills.

22 “(C) Support of the programs by senior
23 department and agency executives.

24 “(D) Involvement by end users and stake-
25 holders in the development of requirements.

1 “(E) Participation by end users in testing
2 of system functionality prior to formal end user
3 acceptance testing.

4 “(F) Stability and consistency of Govern-
5 ment and contractor staff.

6 “(G) Prioritization of requirements by pro-
7 gram staff.

8 “(H) Maintenance of regular communica-
9 tion with the prime contractor by program offi-
10 cials.

11 “(I) Receipt of sufficient funding by pro-
12 grams.

13 “(10) The ability of an AACE to run an effec-
14 tive acquisition intern program in collaboration with
15 the Federal Acquisition Institute or the Defense Ac-
16 quisition University.

17 “(11) The ability of an AACE to effectively and
18 properly manage fees received for assisted acquisi-
19 tions pursuant to this section.

20 “(e) FUNDS RECEIVED BY AACEs.—

21 “(1) AVAILABILITY.—Notwithstanding any
22 other provision of law or regulation, funds obligated
23 and transferred from an executive agency in a fiscal
24 year to an AACE for the acquisition of goods or
25 services covered by an area of specialized acquisition

1 expertise of an AACE, regardless of whether the re-
2 quirements are severable or non-severable, shall re-
3 main available for awards of contracts by the AACE
4 for the same general requirements for the next 5 fis-
5 cal years following the fiscal year in which the funds
6 were transferred.

7 “(2) TRANSITION TO NEW AACE.—If the AACE
8 to which the funds are provided under paragraph (1)
9 becomes unable to fulfill the requirements of the ex-
10 ecutive agency from which the funds were provided,
11 the funds may be provided to a different AACE to
12 fulfill such requirements. The funds so provided
13 shall be used for the same purpose and remain avail-
14 able for the same period of time as applied when
15 provided to the original AACE.

16 “(3) RELATIONSHIP TO EXISTING AUTHORI-
17 TIES.—This subsection does not limit any existing
18 authorities an AACE may have under its revolving
19 or working capital funds authorities.

20 “(f) GOVERNMENT ACCOUNTABILITY OFFICE RE-
21 VIEW OF AACE.—

22 “(1) REVIEW.—The Comptroller General of the
23 United States shall review and assess—

24 “(A) the use and management of fees re-
25 ceived by the AACEs pursuant to this section

1 to ensure that an appropriate fee structure is
2 established and enforced to cover activities ad-
3 dressed in this section and that no excess fees
4 are charged or retained; and

5 “(B) the effectiveness of the AACEs in
6 achieving the purpose described in subsection
7 (a), including review of contracts.

8 “(2) REPORTS.—Not later than 1 year after the
9 designation or redesignation of AACES under sub-
10 section (b), the Comptroller General shall submit to
11 the relevant congressional committees a report con-
12 taining the findings and assessment under para-
13 graph (1).

14 “(g) DEFINITIONS.—In this section:

15 “(1) ASSISTED ACQUISITION.—The term ‘as-
16 sisted acquisition’ means a type of interagency ac-
17 quisition in which the parties enter into an inter-
18 agency agreement pursuant to which—

19 “(A) the servicing agency performs acquisi-
20 tion activities on the requesting agency’s behalf,
21 such as awarding, administering, or closing out
22 a contract, task order, delivery order, or blanket
23 purchase agreement; and

24 “(B) funding is provided through a fran-
25 chise fund, the Acquisition Services Fund in

1 section 321 of this title, sections 1535 and
2 1536 of title 31, or other available methods.

3 “(2) EXECUTIVE AGENCY.—The term ‘executive
4 agency’ has the meaning provided that term by sec-
5 tion 133 of title 41.

6 “(3) RELEVANT CONGRESSIONAL COMMIT-
7 TEES.—The term ‘relevant congressional commit-
8 tees’ has the meaning provided that term by section
9 11501 of this title.

10 “(h) REVISION OF FAR.—The Federal Acquisition
11 Regulation shall be amended to implement this section.”.

12 (b) CLERICAL AMENDMENT.—The table of sections
13 at the beginning of chapter 115 of title 40, United States
14 Code, as amended by section 5401, is further amended
15 by adding at the end the following new item:

“11502. Assisted Acquisition Centers of Excellence.”.

16 **Subtitle B—Strengthening IT**
17 **Acquisition Workforce**

18 **SEC. 5411. EXPANSION OF TRAINING AND USE OF INFORMA-**
19 **TION TECHNOLOGY ACQUISITION CADRES.**

20 (a) PURPOSE.—The purpose of this section is to en-
21 sure timely progress by Federal agencies toward devel-
22 oping, strengthening, and deploying personnel with highly
23 specialized skills in information technology acquisition, in-
24 cluding program and project managers, to be known as
25 information technology acquisition cadres.

1 (b) REPORT TO CONGRESS.—Section 1704 of title
2 41, United States Code, is amended by adding at the end
3 the following new subsection:

4 “(j) STRATEGIC PLAN ON INFORMATION TECH-
5 NOLOGY ACQUISITION CADRES.—

6 “(1) FIVE-YEAR STRATEGIC PLAN TO CON-
7 GRESS.—Not later than June 1 following the date of
8 the enactment of this subsection, the Director shall
9 submit to the relevant congressional committees a 5-
10 year strategic plan (to be known as the ‘IT Acquisi-
11 tion Cadres Strategic Plan’) to develop, strengthen,
12 and solidify information technology acquisition cad-
13 res. The plan shall include a timeline for implemen-
14 tation of the plan and identification of individuals
15 responsible for specific elements of the plan during
16 the 5-year period covered by the plan.

17 “(2) MATTERS COVERED.—The plan shall ad-
18 dress, at a minimum, the following matters:

19 “(A) Current information technology ac-
20 quisition staffing challenges in Federal agen-
21 cies, by previous year’s information technology
22 acquisition value, and by the Federal Govern-
23 ment as a whole.

24 “(B) The variety and complexity of infor-
25 mation technology acquisitions conducted by

1 each Federal agency covered by the plan, and
2 the specialized information technology acquisi-
3 tion workforce needed to effectively carry out
4 such acquisitions.

5 “(C) The development of a sustainable
6 funding model to support efforts to hire, retain,
7 and train an information technology acquisition
8 cadre of appropriate size and skill to effectively
9 carry out the acquisition programs of the Fed-
10 eral agencies covered by the plan, including an
11 examination of interagency funding methods
12 and a discussion of how the model of the De-
13 fense Acquisition Workforce Development Fund
14 could be applied to civilian agencies.

15 “(D) Any strategic human capital planning
16 necessary to hire, retain, and train an informa-
17 tion acquisition cadre of appropriate size and
18 skill at each Federal agency covered by the
19 plan.

20 “(E) Governmentwide training standards
21 and certification requirements necessary to en-
22 hance the mobility and career opportunities of
23 the Federal information technology acquisition
24 cadre within the Federal agencies covered by
25 the plan.

1 “(F) New and innovative approaches to
2 workforce development and training, including
3 cross-functional training, rotational develop-
4 ment, and assignments both within and outside
5 the Government.

6 “(G) Appropriate consideration and align-
7 ment with the needs and priorities of the Infra-
8 structure and Common Application Collabora-
9 tion Center, Assisted Acquisition Centers of Ex-
10 cellence, and acquisition intern programs.

11 “(H) Assessment of the current workforce
12 competency and usage trends in evaluation
13 technique to obtain best value, including proper
14 handling of tradeoffs between price and
15 nonprice factors.

16 “(I) Assessment of the current workforce
17 competency in designing and aligning perform-
18 ance goals, life cycle costs, and contract incen-
19 tives.

20 “(J) Assessment of the current workforce
21 competency in avoiding brand-name preference
22 and using industry-neutral functional specifica-
23 tions to leverage open industry standards and
24 competition.

1 “(K) Use of integrated program teams, in-
2 cluding fully dedicated program managers, for
3 each complex information technology invest-
4 ment.

5 “(L) Proper assignment of recognition or
6 accountability to the members of an integrated
7 program team for both individual functional
8 goals and overall program success or failure.

9 “(M) The development of a technology fel-
10 lows program that includes provisions for re-
11 cruiting, for rotation of assignments, and for
12 partnering directly with universities with well-
13 recognized information technology programs.

14 “(N) The capability to properly manage
15 other transaction authority (where such author-
16 ity is granted), including ensuring that the use
17 of the authority is warranted due to unique
18 technical challenges, rapid adoption of innova-
19 tive or emerging commercial or noncommercial
20 technologies, or other circumstances that can-
21 not readily be satisfied using a contract, grant,
22 or cooperative agreement in accordance with ap-
23 plicable law and the Federal Acquisition Regu-
24 lation.

1 “(O) The use of student internship and
2 scholarship programs as a talent pool for per-
3 manent hires and the use and impact of special
4 hiring authorities and flexibilities to recruit di-
5 verse candidates.

6 “(P) The assessment of hiring manager
7 satisfaction with the hiring process and hiring
8 outcomes, including satisfaction with the quality
9 of applicants interviewed and hires made.

10 “(Q) The assessment of applicant satisfac-
11 tion with the hiring process, including the clar-
12 ity of the hiring announcement, the user-friend-
13 liness of the application process, communication
14 from the hiring manager or agency regarding
15 application status, and timeliness of the hiring
16 decision.

17 “(R) The assessment of new hire satisfac-
18 tion with the onboarding process, including the
19 orientation process, and investment in training
20 and development for employees during their
21 first year of employment.

22 “(S) Any other matters the Director con-
23 siders appropriate.

24 “(3) ANNUAL REPORT.—Not later than June 1
25 in each of the 5 years following the year of submis-

1 sion of the plan required by paragraph (1), the Di-
2 rector shall submit to the relevant congressional
3 committees an annual report outlining the progress
4 made pursuant to the plan.

5 “(4) GOVERNMENT ACCOUNTABILITY OFFICE
6 REVIEW OF THE PLAN AND ANNUAL REPORT.—

7 “(A) Not later than 1 year after the sub-
8 mission of the plan required by paragraph (1),
9 the Comptroller General of the United States
10 shall review the plan and submit to the relevant
11 congressional committees a report on the re-
12 view.

13 “(B) Not later than 6 months after the
14 submission of the first, third, and fifth annual
15 report required under paragraph (3), the Comp-
16 troller General shall independently assess the
17 findings of the annual report and brief the rel-
18 evant congressional committees on the Comp-
19 troller General’s findings and recommendations
20 to ensure the objectives of the plan are accom-
21 plished.

22 “(5) DEFINITIONS.—In this subsection:

23 “(A) The term ‘Federal agency’ means
24 each agency listed in section 901(b) of title 31.

1 “(B) The term ‘relevant congressional
2 committees’ means each of the following:

3 “(i) The Committee on Oversight and
4 Government Reform and the Committee on
5 Armed Services of the House of Represent-
6 atives.

7 “(ii) The Committee on Homeland Se-
8 curity and Governmental Affairs and the
9 Committee on Armed Services of the Sen-
10 ate.”.

11 **SEC. 5412. PLAN ON STRENGTHENING PROGRAM AND**
12 **PROJECT MANAGEMENT PERFORMANCE.**

13 (a) PLAN ON STRENGTHENING PROGRAM AND
14 PROJECT MANAGEMENT PERFORMANCE.—Not later than
15 June 1 following the date of the enactment of this Act,
16 the Director, in consultation with the Director of the Of-
17 fice of Personnel Management, shall submit to the relevant
18 congressional committees a plan for improving manage-
19 ment of IT programs and projects.

20 (b) MATTERS COVERED.—The plan required by sub-
21 section (a) shall include, at a minimum, the following:

22 (1) Creation of a specialized career path for
23 program management.

(2) The development of a competency model for program management consistent with the IT project manager model.

(3) A career advancement model that requires appropriate expertise and experience for advancement.

(4) A career advancement model that is more competitive with the private sector and that recognizes both Government and private sector experience.

(5) Appropriate consideration and alignment with the needs and priorities of the Infrastructure and Common Application Collaboration Center, the Assisted Acquisition Centers of Excellence, and acquisition intern programs.

(c) COMBINATION WITH OTHER CADRES PLAN.—

The Director may combine the plan required by subsection (a) with the IT Acquisition Cadres Strategic Plan required under section 1704(j) of title 41, United States Code, as added by section 411.

21 SEC. 5413. PERSONNEL AWARDS FOR EXCELLENCE IN THE
22 ACQUISITION OF INFORMATION SYSTEMS
23 AND INFORMATION TECHNOLOGY.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of the Of-

1 fice of Personnel Management shall develop policy and
2 guidance for agencies to develop a program to recognize
3 excellent performance by Federal Government employees
4 and teams of such employees in the acquisition of informa-
5 tion systems and information technology for the agency.

6 (b) ELEMENTS.—The program referred to in sub-
7 section (a) shall, to the extent practicable—

8 (1) obtain objective outcome measures; and

9 (2) include procedures for—

10 (A) the nomination of Federal Government
11 employees and teams of such employees for eli-
12 gibility for recognition under the program; and

13 (B) the evaluation of nominations for rec-
14 ognition under the program by 1 or more agen-
15 cy panels of individuals from Government, aca-
16 demia, and the private sector who have such ex-
17 pertise, and are appointed in such a manner, as
18 the Director of the Office of Personal Manage-
19 ment shall establish for purposes of the pro-
20 gram.

21 (c) AWARD OF CASH BONUSES AND OTHER INCEN-
22 TIVES.—In carrying out the program referred to in sub-
23 section (a), the Director of the Office of Personnel Man-
24 agement, in consultation with the Director of the Office
25 of Management and Budget, shall establish policies and

1 guidance for agencies to reward any Federal Government
2 employee or teams of such employees recognized pursuant
3 to the program—

4 (1) with a cash bonus, to the extent that the
5 performance of such individual or team warrants the
6 award of such bonus and is authorized by any provi-
7 sion of law;

8 (2) through promotions and other nonmonetary
9 awards;

10 (3) by publicizing—

11 (A) acquisition accomplishments by indi-
12 vidual employees; and

13 (B) the tangible end benefits that resulted
14 from such accomplishments, as appropriate;
15 and

16 (4) through other awards, incentives, or bo-
17 nuses that the head of the agency considers appro-
18 priate.

19 **TITLE LV—ADDITIONAL** 20 **REFORMS**

21 **SEC. 5501. MAXIMIZING THE BENEFIT OF THE FEDERAL** 22 **STRATEGIC SOURCING INITIATIVE.**

23 Not later than 180 days after the date of the enact-
24 ment of this Act, the Administrator for Federal Procure-
25 ment Policy shall prescribe regulations providing that

1 when the Federal Government makes a purchase of serv-
2 ices and supplies offered under the Federal Strategic
3 Sourcing Initiative (managed by the Office of Federal Pro-
4 curement Policy) but such Initiative is not used, the con-
5 tract file for the purchase shall include a brief analysis
6 of the comparative value, including price and nonprice fac-
7 tors, between the services and supplies offered under such
8 Initiative and services and supplies offered under the
9 source or sources used for the purchase.

10 **SEC. 5502. PROMOTING TRANSPARENCY OF BLANKET PUR-**
11 **CHASE AGREEMENTS.**

12 (a) PRICE INFORMATION TO BE TREATED AS PUBLIC
13 INFORMATION.—The final negotiated price offered by an
14 awardee of a blanket purchase agreement shall be treated
15 as public information.

16 (b) PUBLICATION OF BLANKET PURCHASE AGREE-
17 MENT INFORMATION.—Not later than 180 days after the
18 date of the enactment of this Act, the Administrator of
19 General Services shall make available to the public a list
20 of all blanket purchase agreements entered into by Federal
21 agencies under its Federal Supply Schedules contracts and
22 the prices associated with those blanket purchase agree-
23 ments. The list and price information shall be updated at
24 least once every 6 months.

1 **SEC. 5503. ADDITIONAL SOURCE SELECTION TECHNIQUE IN**
2 **SOLICITATIONS.**

3 Section 3306(d) of title 41, United States Code, is
4 amended—

5 (1) by striking “or” at the end of paragraph
6 (1);

7 (2) by striking the period and inserting “; or”
8 at the end of paragraph (2); and

9 (3) by adding at the end the following new
10 paragraph:

11 “(3) stating in the solicitation that the award
12 will be made using a fixed price technical competi-
13 tion, under which all offerors compete solely on
14 nonprice factors and the fixed award price is pre-an-
15 nounced in the solicitation.”.

16 **SEC. 5504. ENHANCED TRANSPARENCY IN INFORMATION**
17 **TECHNOLOGY INVESTMENTS.**

18 (a) PUBLIC AVAILABILITY OF INFORMATION ABOUT
19 IT INVESTMENTS.—Section 11302(c) of title 40, United
20 States Code, is amended—

21 (1) by redesignating paragraph (2) as para-
22 graph (3); and

23 (2) by inserting after paragraph (1) the fol-
24 lowing new paragraph:

25 “(2) PUBLIC AVAILABILITY.—

1 “(A) IN GENERAL.—The Director shall
2 make available to the public the cost, schedule,
3 and performance data for at least 80 percent
4 (by dollar value) of all information technology
5 investments Governmentwide, and 60 percent
6 (by dollar value) of all information technology
7 investments in each Federal agency listed in
8 section 901(b) of title 31, notwithstanding
9 whether the investments are for new IT acquisi-
10 tions or for operations and maintenance of ex-
11 isting IT. The Director shall ensure that the in-
12 formation is current, accurate, and reflects the
13 risks associated with each covered information
14 technology investment.

15 “(B) WAIVER OR LIMITATION AUTHOR-
16 ITY.—The applicability of subparagraph (A)
17 may be waived or the extent of the information
18 may be limited—

19 “(i) by the Director, with respect to
20 IT investments Governmentwide; and

21 “(ii) by the Chief Information Officer
22 of a Federal agency, with respect to IT in-
23 vestments in that agency;

24 if the Director or the Chief Information Officer,
25 as the case may be, determines that such a

1 waiver or limitation is in the national security
2 interests of the United States.”.

3 (b) **ADDITIONAL REPORT REQUIREMENTS.**—Para-
4 graph (3) of section 11302(c) of such title, as redesignated
5 by subsection (a), is amended by adding at the end the
6 following: “The report shall include an analysis of agency
7 trends reflected in the performance risk information re-
8 quired in paragraph (2).”.

9 **SEC. 5505. ENHANCED COMMUNICATION BETWEEN GOV-**
10 **ERNMENT AND INDUSTRY.**

11 Not later than 180 days after the date of the enact-
12 ment of this Act, the Federal Acquisition Regulatory
13 Council shall prescribe a regulation making clear that
14 agency acquisition personnel are permitted and encour-
15 aged to engage in responsible and constructive exchanges
16 with industry, so long as those exchanges are consistent
17 with existing law and regulation and do not promote an
18 unfair competitive advantage to particular firms.

19 **SEC. 5506. CLARIFICATION OF CURRENT LAW WITH RE-**
20 **SPECT TO TECHNOLOGY NEUTRALITY IN AC-**
21 **QUISITION OF SOFTWARE.**

22 (a) **PURPOSE.**—The purpose of this section is to es-
23 tablish guidance and processes to clarify that software ac-
24 quisitions by the Federal Government are to be made

1 using merit-based requirements development and evalua-
2 tion processes that promote procurement choices—

3 (1) based on performance and value, including
4 the long-term value proposition to the Federal Gov-
5 ernment;

6 (2) free of preconceived preferences based on
7 how technology is developed, licensed, or distributed;
8 and

9 (3) generally including the consideration of pro-
10 prietary, open source, and mixed source software
11 technologies.

12 (b) TECHNOLOGY NEUTRALITY.—Nothing in this
13 section shall be construed to modify the Federal Govern-
14 ment's long-standing policy of following technology-neu-
15 tral principles and practices when selecting and acquiring
16 information technology that best fits the needs of the Fed-
17 eral Government.

18 (c) GUIDANCE.—Not later than 180 days after the
19 date of the enactment of this Act, the Director, in con-
20 sultation with the Chief Information Officers Council,
21 shall issue guidance concerning the technology-neutral
22 procurement and use of software within the Federal Gov-
23 ernment.

1 (d) MATTERS COVERED.—In issuing guidance under
2 subsection (c), the Director shall include, at a minimum,
3 the following:

4 (1) Guidance to clarify that the preference for
5 commercial items in section 3307 of title 41, United
6 States Code, includes proprietary, open source, and
7 mixed source software that meets the definition of
8 the term “commercial item” in section 103 of title
9 41, United States Code, including all such software
10 that is used for non-Government purposes and is li-
11 censed to the public.

12 (2) Guidance regarding the conduct of market
13 research to ensure the inclusion of proprietary, open
14 source, and mixed source software options.

15 (3) Guidance to define Governmentwide stand-
16 ards for security, redistribution, indemnity, and
17 copyright in the acquisition, use, release, and col-
18 laborative development of proprietary, open source,
19 and mixed source software.

20 (4) Guidance for the adoption of available com-
21 mercial practices to acquire proprietary, open source,
22 and mixed source software for widespread Govern-
23 ment use, including issues such as security and re-
24 distribution rights.

1 (5) Guidance to establish standard service level
2 agreements for maintenance and support for propri-
3 etary, open source, and mixed source software prod-
4 ucts widely adopted by the Government, as well as
5 the development of Governmentwide agreements that
6 contain standard and widely applicable contract pro-
7 visions for ongoing maintenance and development of
8 software.

9 (6) Guidance on the role and use of the Federal
10 Infrastructure and Common Application Collabora-
11 tion Center, established pursuant to section 11501
12 of title 40, United States Code (as added by section
13 5401), for acquisition of proprietary, open source,
14 and mixed source software.

15 (e) REPORT TO CONGRESS.—Not later than 2 years
16 after the issuance of the guidance required by subsection
17 (b), the Comptroller General of the United States shall
18 submit to the relevant congressional committees a report
19 containing—

20 (1) an assessment of the effectiveness of the
21 guidance;

22 (2) an identification of barriers to widespread
23 use by the Federal Government of specific software
24 technologies; and

1 (3) such legislative recommendations as the
2 Comptroller General considers appropriate to further
3 the purposes of this section.



167. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
Whitfield (KY) OR HIS OR HER DESIGNEE, DEBATABLE FOR
10 MINUTES

194R

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1960
OFFERED BY MR. WHITFIELD OF KENTUCKY, MR.
POLIS OF COLORADO, AND MR. PERLMUTTER
OF COLORADO**

Add at the end of subtitle C of title X the following:

1 **SEC. 1090. SENSE OF CONGRESS ON ESTABLISHMENT OF**
2 **AN ADVISORY BOARD ON TOXIC SUBSTANCES**
3 **AND WORKER HEALTH.**

4 It is the sense of Congress that the President should
5 establish an Advisory Board on Toxic Substances and
6 Worker Health, as described in the report of the Comp-
7 troller General of the United States titled "Energy Em-
8 ployees Compensation: Additional Independent Oversight
9 and Transparency Would Improve Program's Credibility",
10 numbered GAO-10-302, to—

11 (1) advise the President concerning the review
12 and approval of the Department of Labor site expo-
13 sure matrix;

14 (2) conduct periodic peer reviews of, and ap-
15 prove, medical guidance for part E claims examiners
16 with respect to the weighing of a claimant's medical
17 evidence;

1 (3) obtain periodic expert review of evidentiary
2 requirements for part B claims related to lung dis-
3 ease regardless of approval;

4 (4) provide oversight over industrial hygienists,
5 Department of Labor staff physicians, and Depart-
6 ment of Labor's consulting physicians and their re-
7 ports to ensure quality, objectivity, and consistency;
8 and

9 (5) coordinate exchanges of data and findings
10 with the Advisory Board on Radiation and Worker
11 Health to the extent necessary (under section 3624
12 the Energy Employees Occupational Illness Com-
13 pensation Program Act of 2000 (42 U.S.C. 7384o).



168. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
Franks (AZ) OR HIS OR HER DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1960
OFFERED BY MR. FRANKS OF ARIZONA**

At the end of subtitle E of title XII of division A
of the bill, add the following new section:

**1 SEC. 12 . SENSE OF CONGRESS ON THE ILLEGAL NUCLEAR
2 WEAPONS PROGRAMS OF IRAN AND NORTH
3 KOREA.**

4 It is the sense of Congress that—

5 (1) the paramount security concern of the
6 United States is the ongoing and illegal nuclear
7 weapons programs of the Islamic Republic of Iran
8 and the Democratic People's Republic of Korea;

9 (2) it should be the primary objective of the
10 President of the United States to ensure that North
11 Korea's nuclear program is completely and verifiably
12 eliminated and that Iran, and its terrorist proxies,
13 are not allowed to develop nuclear weapons capa-
14 bility and the means to deliver them;

15 (3) the continuing failure to compel Iran and
16 North Korea to comply with their respective obliga-
17 tions under international law risks greater nuclear
18 proliferation throughout already unstable regions by

1 states that have chosen, but not irreversibly so, to
2 refrain from developing or acquiring their own nu-
3 clear weapons capability;

4 (4) nuclear arms reductions by the United
5 States and the Russian Federation have not per-
6 suaded or otherwise incentivized Iran and North
7 Korea to halt or reverse their destabilizing and dan-
8 gerous nuclear weapons programs, nor have they re-
9 sulted in increased cooperation by other states to
10 deal with these threats; and

11 (5) the President should use all international
12 fora available to the President to pursue the com-
13 plete and verifiable elimination of the nuclear weap-
14 ons programs of Iran and North Korea as the Presi-
15 dent's paramount obligation to the security of the
16 American people.



169. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
Franks (AZ) OR HIS OR HER DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1960
OFFERED BY MR. FRANKS OF ARIZONA**

Page 456, line 12, strike “Secretary of the Defense” and insert “Secretary of Defense, in consultation with the Secretary of Homeland Security and the Federal Energy Regulatory Commission,”.

Page 456, line 15, after “TCAs’)” insert the following: “that receive power supply from commercial or other non-military sources”.

Page 456, line 21, strike “Secretary of the Defense” and insert “Secretary of Defense, in consultation with the Secretary of Homeland Security and the Federal Energy Regulatory Commission,”.

Page 457, lines 3 through 4, after “Department of Defense” insert the following: “, in consultation with the Secretary of Homeland Security and the Federal Energy Regulatory Commission,”.

Page 457, line 8, after “Department” insert the following: “, in consultation with the Secretary of Homeland Security and the Federal Energy Regulatory Commission,”.

Page 457, line 12, after “Department” insert the following: “, in consultation with the Secretary of Homeland Security and the Federal Energy Regulatory Commission,”.

Page 457, line 18, after “Secretary of Defense” insert the following: “, in consultation with the Secretary of Homeland Security and the Federal Energy Regulatory Commission,”.



170. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
Garamendi (CA) OR HIS OR HER DESIGNEE, DEBATABLE
FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1960
OFFERED BY MR. GARAMENDI OF CALIFORNIA**

At the end of subtitle C of title XV, add the following new section:

**1 SEC. 15 . LIMITATION ON FUNDS FOR THE AFGHANISTAN
2 SECURITY FORCES FUND TO ACQUIRE CER-
3 TAIN AIRCRAFT, VEHICLES, AND EQUIPMENT.**

4 (a) LIMITATION.—Of the funds authorized to be ap-
5 propriated by this Act to the Department of Defense for
6 the Afghanistan Security Forces Fund (ASFF),
7 \$2,600,000,000 shall be withheld from obligation and ex-
8 penditure until the Secretary of Defense submits to the
9 Committee on Armed Services of the House of Represent-
10 atives and the Committee on Armed Services of the Senate
11 a report as described in subsection (b).

12 (b) REPORT.—The report referred to in subsection
13 (a) is a report that includes the following information:

14 (1) A list of all covered aircraft, vehicles, and
15 equipment to be purchased with funds authorized to
16 be appropriated by this Act to the Department of
17 Defense for the ASFF.

1 (2) The expected date on which such covered
2 aircraft, vehicles, and equipment would be delivered
3 and operable in Afghanistan.

4 (3) The full requirements for operating such
5 covered aircraft, vehicles, and equipment.

6 (4) The plan for maintenance of such covered
7 aircraft, vehicles, and equipment and estimated costs
8 of such covered aircraft, vehicles, and equipment by
9 year, through 2020.

10 (5) The expected date that ASFF personnel
11 would be fully capable of operating and maintaining
12 such covered aircraft, vehicles, and equipment with-
13 out support from United States personnel.

14 (6) An explanation of the extent to which the
15 acquisition of such covered aircraft, vehicles, and
16 equipment will impact the longer-term United States
17 costs of supporting the ASFF.

18 (c) COVERED AIRCRAFT, VEHICLES, AND EQUIP-
19 MENT.—In this section, the term “covered aircraft, vehi-
20 cles, and equipment” means helicopters, systems for close
21 air support, air mobility systems, and armored vehicles.



171. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
Gingrey (GA) OR HIS OR HER DESIGNEE, DEBATABLE FOR
10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1960
OFFERED BY MR. GINGREY OF GEORGIA**

At the end of subtitle I of title X of division A, add
the following:

1 **SEC. 1090. SENSE OF CONGRESS REGARDING PRESERVA-**
2 **TION OF SECOND AMENDMENT RIGHTS OF**
3 **ACTIVE DUTY MILITARY PERSONNEL STA-**
4 **TIONED OR RESIDING IN THE DISTRICT OF**
5 **COLUMBIA.**

6 (a) FINDINGS.—Congress finds the following:

7 (1) The Second Amendment to the United
8 States Constitution provides that the right of the
9 people to keep and bear arms shall not be infringed.

10 (2) Approximately 40,000 servicemen and
11 women across all branches of the Armed Forces ei-
12 ther live in or are stationed on active duty within the
13 Washington, D.C., metropolitan area. Unless these
14 individuals are granted a waiver as serving in a law
15 enforcement role, they are subject to the District of
16 Columbia's onerous and highly restrictive laws on
17 the possession of firearms.

1 (3) Military personnel, despite being extensively
2 trained in the proper and safe use of firearms, are
3 therefore deprived by the laws of the District of Co-
4 lumbia of handguns, rifles, and shotguns that are
5 commonly kept by law-abiding persons throughout
6 the United States for sporting use and for lawful de-
7 fense of their persons, homes, businesses, and fami-
8 lies.

9 (4) The District of Columbia has one of the
10 highest per capita murder rates in the Nation, which
11 may be attributed in part to previous local laws pro-
12 hibiting possession of firearms by law-abiding per-
13 sons who would have otherwise been able to defend
14 themselves and their loved ones in their own homes
15 and businesses.

16 (5) The Gun Control Act of 1968 (as amended
17 by the Firearms Owners' Protection Act) and the
18 Brady Handgun Violence Prevention Act provide
19 comprehensive Federal regulations applicable in the
20 District of Columbia as elsewhere. In addition, exist-
21 ing District of Columbia criminal laws punish pos-
22 session and illegal use of firearms by violent crimi-
23 nals and felons. Consequently, there is no need for
24 local laws that only affect and disarm law-abiding
25 citizens.

1 (6) On June 26, 2008, the Supreme Court of
2 the United States in the case of *District of Columbia*
3 *v. Heller* held that the Second Amendment protects
4 an individual's right to possess a firearm for tradi-
5 tionally lawful purposes, and thus ruled that the
6 District of Columbia's handgun ban and require-
7 ments that rifles and shotguns in the home be kept
8 unloaded and disassembled or outfitted with a trig-
9 ger lock to be unconstitutional.

10 (7) On July 16, 2008, the District of Columbia
11 enacted the Firearms Control Emergency Amend-
12 ment Act of 2008 (D.C. Act 17-422; 55 DCR 8237),
13 which places onerous restrictions on the ability of
14 law-abiding citizens from possessing firearms, thus
15 violating the spirit by which the Supreme Court of
16 the United States ruled in *District of Columbia v.*
17 *Heller*.

18 (8) On February 26, 2009, the United States
19 Senate adopted an amendment on a bipartisan vote
20 of 62-36 by Senator John Ensign to S. 160, the
21 District of Columbia House Voting Rights Act of
22 2009, which would fully restore Second Amendment
23 rights to the citizens of the District of Columbia.

24 (b) SENSE OF CONGRESS.—It is the sense of Con-
25 gress that active duty military personnel who are stationed

1 or residing in the District of Columbia should be permitted
2 to exercise fully their rights under the Second Amendment
3 to the Constitution of the United States and therefore
4 should be exempt from the District of Columbia's restric-
5 tions on the possession of firearms.



172. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
Davis (CA) OR HIS OR HER DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1960
OFFERED BY MRS. DAVIS OF CALIFORNIA**

At the end of subtitle A of title VI, add the following
new section:

1 **SEC. 6 . RECOGNITION OF ADDITIONAL MEANS BY**
2 **WHICH MEMBERS OF THE NATIONAL GUARD**
3 **CALLED INTO FEDERAL SERVICE FOR A PE-**
4 **RIOD OF 30 DAYS OR LESS MAY INITIALLY RE-**
5 **PORT FOR DUTY FOR ENTITLEMENT TO**
6 **BASIC PAY.**

7 Section 204(c) of title 37, United States Code, is
8 amended—

9 (1) in the first sentence, by striking “date when
10 he appears at the place of company rendezvous” and
11 inserting “date on which the member, in person or
12 by authorized telephonic or electronic means, con-
13 tacts the member’s unit”; and

14 (2) by striking the second sentence and insert-
15 ing the following new sentence: “However, this sub-
16 section does not authorize any expenditure before
17 the member makes authorized contact that is not

1 authorized by law to be paid after such authorized
2 contact.”.

